

# **FEDERAL-STATE-LOCAL SOLUTIONS TO CRIME AND DRUG ABUSE**

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**HEARING**  
BEFORE THE  
SUBCOMMITTEE ON GENERAL SERVICES,  
FEDERALISM, AND THE DISTRICT OF COLUMBIA  
OF THE  
COMMITTEE ON  
GOVERNMENTAL AFFAIRS  
UNITED STATES SENATE  
ONE HUNDRED FIRST CONGRESS

FIRST SESSION

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MAY 9, 1989

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## FEDERAL-STATE-LOCAL SOLUTIONS TO CRIME AND DRUG ABUSE

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TUESDAY, MAY 9, 1989

U.S. SENATE,  
SUBCOMMITTEE ON GENERAL SERVICES, FEDERALISM,  
AND THE DISTRICT OF COLUMBIA,  
COMMITTEE ON GOVERNMENTAL AFFAIRS,  
*Washington, D.C.*

The Subcommittee met, pursuant to notice, at 9 a.m., in room SD-342, Dirksen Senate Office Building, Hon. Jim Sasser, Chairman of the Subcommittee, presiding.

Present: Senators Sasser and Heinz.

### OPENING STATEMENT OF SENATOR SASSER

Senator SASSER. The Subcommittee will come to order this morning. I am delighted to convene this hearing of the Governmental Affairs Subcommittee on General Services, Federalism, and the District of Columbia. I am pleased to be joined this morning at this hearing on the Federal response to State and local request for assistance to combat drug abuse and drug-related crime by the distinguished ranking member of this Committee, Senator John Heinz of Pennsylvania.

I want to welcome our very distinguished witnesses here today including the Chief of Police of my hometown of Nashville, Chief Joe Casey. In 1986, the Congress decided to step up the war on drugs with the passage of the Anti-Drug Abuse Act. Now while this law was designed to be comprehensive, it was clearly aimed at the interdiction of drugs. In 1988, we went on to target prevention with the passage of the Omnibus Drug Initiative. Now the 1988 law recognized that in any successful effort to combat drug abuse, education and treatment are essential components.

And during the deliberations that led to the formulation of that legislation, I was pleased to co-chair the Education and Treatment Subgroup of the Senate task force that wrote the 1988 Omnibus Drug Initiative. Now, today, we are going to hear from three distinguished law enforcement officials from three of the major cities in this country, who conclude that we launched a war on drugs armed only with rhetoric, that we created a czar with territory but with no troops, and we are asking kids to say no to drugs when it is all too easy to say yes to the big money and the cash that comes with dealing in drugs.

The City of Washington, I am sorry to say, our Nation's Capital, has become a virtual haven for drug pushers, drug users, and the

children, and that is what many of them are, the children who provide the drug connection. That is because of old laws on the books that prevent the police in our Nation's Capital from tying into a national crime information base that is available to every other jurisdiction in the United States.

And we read that in several suburbs surrounding Washington the hunted, that is the drug dealers, have actually become the hunters. These drug dealers, the drug lords, now have the audacity to track and place under surveillance the police who are fighting to disrupt the drug trade. Now we will hear that many of the same symptoms of the drug trade that we have been hearing about here in Washington are being manifested in the home streets of my hometown in Nashville, Tennessee, as the drug epidemic sweeps its way into the heartland of this country.

And Senator Heinz, I might say to you that just a few weeks ago, I had the pleasure of meeting with a number of distinguished mayors of some of the larger cities in this country, 10 mayors, as a matter of fact, and they are telling me that what we see here in Washington is not unusual, that it is sweeping every city of substantial size almost all across this country.

Now, today, I want to welcome our distinguished panel who will testify here today. We are pleased to have Mr. Bob Armstrong, the Director of Drug Control in Philadelphia, Pennsylvania. We are pleased also to have Joe Casey, the Chief of Police in Nashville, Tennessee, and former President of the International Chiefs of Police Association. We are also joined by Isaac Fulwood, Jr., Assistant Chief of Police in Washington, D.C.; by Gary Hankins, the chairman of the Fraternal Order of Police in Washington, D.C.; and by Ms. Carol Thompson, the City Administrator here in Washington, D.C.

Now this panel of experts will lay out, I think, the true dimension of this country's problem with substance abuse. What was once only faced in our leading metropolitan inner cities such as Washington, such as Philadelphia, is now emerging in the suburbs, in mid-sized cities, and in smaller communities. The magnitude of this problem almost fails to shock us any longer although I must say to you that I find it exceedingly shocking. But we should be shocked.

Drug abuse in the workplace is rampant. An alarmingly high percentage of our workers are occasional or regular substance abusers. The National Association of State Alcohol and Drug Abuse Directors has released figures for 1988 which show that substance abuse in the workplace does the following. It reduces work force productivity to the tune of \$26 billion a year. It costs \$120 million in treatment. It costs \$245 million in related health support, and results in \$238 in lost employment.

Drugs which once were the scourge of our poorest citizens and in some instances the playthings and the toys of the rich have now infected all levels of society. They have even found their way into our elementary schools. In our high schools, it is estimated that the 1 out of 4 dropout rate can largely be attributed to drugs and/or alcohol. Drug peer pressure in our schools is often greater than pressure to succeed. Drug related crime is out of control throughout this country of ours.

It is no longer confined to our urban areas, as I said earlier. According to the Bureau of Justice Statistics, nearly 80 percent of the 450,000 drug and non-drug crime offenders incarcerated in State correctional facilities in the year 1986 reported using an illegal drug in the past. In 1988, a report shows that nearly 40 percent of state prison inmates who committed violent offenses such as armed robbery, sex offenses, murder, reported regular alcohol or drug abuse.

And as we will hear today, cities such as Nashville, Philadelphia, Washington, D.C. are all experiencing a near record crime wave which shows no signs of abating. Chief Casey will tell us today that in Nashville it is estimated that 80 percent of the recent increase in personal and property crimes is directly related to drug activity—80 percent of the increase in personal and property crimes in Nashville, Tennessee is directly related to drug activity.

In Philadelphia, Mr. Armstrong will tell us that 70 percent of the crimes committed there are now related in some way to drugs. And here in Washington, D.C., the Assistant Chief, Isaac Fulwood, reports that 73 percent of adult defendants in 1988 tested positive for some form of illicit drug use.

The Federal Government and Congress share a joint responsibility with State and local Governments in this battle against drug abuse and drug related crime. Congress has responded by passing the 1986 Anti-Drug Abuse Act and in 1988 the Omnibus Drug Initiative Act. Congress remains sensitive, I might say hypersensitive, to this problem. Just last week as part of the Budget Resolution we passed here on the floor of the Senate amendments to reallocate additional funds to relieve prison overcrowding and calling for funding increases for drug education and treatment were passed unanimously.

It is clear that this war against drugs can only be won if the battle is waged on all fronts. A strong battle for education and treatment that offers hope and not despair to all those who become addicted. A strong battle for control of our borders. We have a right as a sovereign nation and the people of this country have a right to expect their Government to control our borders. We need a strong battle for international cooperation and for the eradication of drug crops abroad. And lastly, we need a strong and unified and determined battle to beef up our law enforcement authorities and that means giving them the equipment and the means with which to carry on this battle in order that they may work together, city, State and Federal, to reduce crime, to win back our neighborhoods, and to win back our streets in many of our major metropolitan areas from the drug dealers and the drug lords and the killers who now control whole city blocks.

So today I look forward to hearing from our distinguished guests on their perspectives on battling and winning this battle against drug abuse and drug related crime. And we will begin this morning with our distinguished friend from Philadelphia, I believe, Senator Heinz, but before turning to Mr. Armstrong, I would like to turn now to our distinguished ranking member, Senator Heinz, for any statement he might wish to make.

[Prepared statement of Senator Sasser follows:]



## PREPARED STATEMENT OF SENATOR SASSER

Good morning. Today, the Governmental Affairs Subcommittee on General Services, Federalism, and the District of Columbia convenes to conduct a hearing on the federal response to state and local requests for assistance to combat drug abuse and drug-related crime.

In 1986 our Nation decided to step up the war on drugs with passage of the Anti-Drug Abuse Act. While this law was designed to be comprehensive piece of legislation, it was clearly aimed at interdiction.

In 1988 we targeted prevention with passage of the omnibus drug initiative. That law recognized that in any successful effort to combat abuse, education and treatment will be essential components of any success we will achieve. I was pleased to co-chair the education and treatment subgroup of the Senate task force that wrote the 1988 law.

Today we are going to hear from three distinguished law enforcement officials from three of our major cities who tell us that we launched a war on drugs with rhetoric. We created a czar with territory but no troops. And we are asking kids to say no to drugs when it is too easy to say yes to cash.

We are going to hear, for example, that the city of Washington has become a virtual "safe haven" for drug pushers, drug users, and the children—for that is what many of them are—who provide the connection. And that is because of old laws on the books that prevent the police in our Nation's Capital from tying into a national crime information base that is available to every other jurisdiction in the United States. And we read that in several suburbs surrounding Washington, the hunted have actually become the hunters—that in fact the drug lords have the audacity to track and surveil the police are fighting to disrupt their drug trade.

We will hear that many of the same symptoms of the drug trade that we have been hearing about in Washington are being manifested on the streets of my hometown, Nashville, Tennessee, as the drug epidemic sweeps its way into the heartland of this country.

First, I would like to welcome our distinguished panel members who will testify here today:

Mr. Bob Armstrong, director of drug control in Philadelphia, Pennsylvania.

Joe Casey, chief of police in Nashville and former president of the International Chiefs of Police Association.

Isaac Fulwood, Jr., Assistant Chief of Police in Washington, D.C.,

Gary Hankins, chairman of the Fraternal Order of Police in Washington, D.C.,

Carol Thompson, City Administrator, Washington, D.C.,

This distinguished panel will lay out the true dimensions of this country's problem with substance abuse.

What was once only faced in our leading metropolitan inner cities—such as Washington and Philadelphia—is now emerging in suburbs, mid-size cities and smaller communities.

The magnitude of this problem almost fails to shock us any longer. But they should. Alcohol and drug abuse in the workplace is rampant. An alarmingly high percentage of our workers are occasional or regular substance abusers. The National Association of State Alcohol and Drug Abuse Directors has released figures for 1988 which show that substance abuse in the workplace does the following:

Reduces workforce productivity by \$26 billion.

Costs \$120 million in treatment.

Costs \$243 billion in related health supports and results in \$238 million in lost employment.

Drugs—which were once the source of our poorest citizens and the playthings of the rich—have now infected all levels of society. They are even found in our elementary schools. In our high schools it is estimated that the one-out-of-four drop-out rate can largely be attributed to drugs and/or alcohol. Drug peer pressure in our schools is often greater than pressure to succeed.

Drug-related crime is out of control throughout this country. Again, it is no longer confined to our urban areas. According to the Bureau of Justice statistics, nearly 80 percent of 450,416 drug and non-drug crime offenders incarcerated in State correctional facilities in 1986 reported using an illegal drug in the past. A 1988 report shows that nearly 40 percent of State prison inmates who committed violent offenses—such as armed robbery, sex offenses, homicides—reported regular alcohol and/or drug abuse.

As we will hear today, cities such as Nashville, Philadelphia, and Washington, D.C., are all experiencing a near-record crime wave which shows no signs of abating.

Chief Casey will tell us today that in Nashville, it is estimated that 80 percent of the recent increase in personal and property crimes is directly related to drug activity.

In Philadelphia, we will hear from Mr. Armstrong, 70% of the crimes committed are now drug-related.

And here in Washington, D.C., Assistant Chief Isaac Fulwood reports that 73% of adult defendants in 1988 tested positive for some form of illicit drug use.

The Federal Government and Congress share a joint responsibility with State and local governments in this battle against drug-abuse and drug-related crime. And, Congress has responded by passing the 1986 Anti-Drug Abuse Act and in 1988 the Omnibus Drug Initiative Act. Congress has remained sensitive to this problem. Just last week as part of the budget resolution we passed amendments to reallocate additional funds to relieve prison overcrowding, and called for funding increases for drug education and treatment.

It is clear that this war can only be won if the battle is waged on all fronts. A strong battle for education and treatment offering hope and not despair to all those addicted regardless of their income. A strong battle for control of our borders. A strong battle for international cooperation and crop eradication. A strong, unified battle to beef up our law enforcement authorities in order that they might work together to reduce crime and win back our neighborhoods and our streets.

Today, I look forward to hearing from our distinguished guests on their perspectives on battling drug abuse and drug related crime.

#### OPENING STATEMENT OF SENATOR HEINZ

Senator HEINZ. Mr. Chairman, thank you very much. At the outset, I want to commend you, Mr. Chairman, on this hearing. It allows us to do two things. First, it provides a very special opportunity to examine two of the most serious problems facing the Nation, namely those of drug abuse and drug-related crime, and as you yourself have pointed out, perhaps no other issue demands inter-governmental problem solving to the extent that drug abuse does, from drugs smuggled across international borders to drug sales in neighborhood school yards, it not only threatens every family, it touches and should involve every level of Government.

So I like to think, Mr. Chairman, of this hearing as a nuts and bolts hearing. Over the last 4 or 5 years, we have all attended our fair share of press conferences announcing initiatives. We have all participated in many debates on the Senate floor to move those initiatives from concept stage to design phase in the form of legislation. We have, we would like to think, created a strong machine that will mesh with State and local efforts to really attack the problem of drug abuse. But like any machine if it is not assembled correctly, if the nuts and bolts are not tight, the machine will not work. And that, I like to think, is one of the main purposes of having this hearing, and I think it is a vital, vital purpose.

I think there is a second reason for this hearing, Mr. Chairman, and that is that—at least it is my hope that—we will promote some understanding and some partnership. Until now, we have not compared notes with the hands-on local officials that we are going to hear from today. I hope today's hearing will provide them an opportunity to get an even more secure grip on what are new and effective approaches to winning this battle.

Second is partnership. Partnership is especially important because of the large number of Federal agencies and the significant amount of Federal money we have committed on the one hand, and the need for a good relationship between those initiatives, efforts and agencies and people at the State and local levels who are the

troops in the field, the workers on the assembly line on the other hand.

I am delighted to have the opportunity to introduce Bob Armstrong, who as you were kind enough to mention has the title of Special Assistant to the Mayor for Drug Control in the City of Philadelphia. He also is a distinguished only just former Deputy Commissioner of Police in the City of Philadelphia. A few weeks ago, Bob Armstrong and other members of Philadelphia's law enforcement community and I had an opportunity to announce a new program that we worked out together. We call it the Operation Drug Free Neighborhoods and Schools Program, but we like to refer to it in short as Operation "Defense," and in this case, Mr. Chairman, it may be that the best offense is, in fact, a good defense because what this program has done with very modest funding from the U.S. Department of Justice is to involve stationing a mobile, mini-police station in crime-plagued neighborhoods for a period of time, perhaps several months, more or less as needed, staffed by police officers and community volunteers. The latter is very important.

It is our hope and expectation that Operation "Defense" will prove to be a valuable new tool for law enforcement against drugs. Community involvement is critical to Operation Defense's success. Neighbors are trained to establish a crime-prevention network in order to take over once the station moves on.

We all recognize that law enforcement can do part of the job. As the chart indicates,<sup>1</sup> as you mentioned, arrests for drug-related crimes rose dramatically in Philadelphia over the last four years, some 25 percent, but as Bob Armstrong will attest, the war on drugs simply does not begin and end at the precinct or the district station.

Our law enforcement officials cannot stop this epidemic alone. We need to encourage our schools, our churches, synagogues, community leaders, block people, to participate in the effort. So we know that it is vital to mobilize our forces for an offensive drug sweep through a neighborhood, the communities themselves need to rise up after that sweep has taken place and together establish a defensive network of volunteers to ensure that the neighborhood afterwards stays drug-free.

Obviously, even local law enforcement and neighbors cannot do it all by themselves. Others at the State and Federal levels must do their part. So what this hearing, I think, is about in significant measure, Mr. Chairman, is what we at the Federal Government level can do to be a better partner to our people on the assembly line—too often, I am sorry to say, literally the firing line—and to our fellow citizens often in the direct line, to make sure that we, when we say we want to fight and win the war on drugs, actually not only mean it but know how to do it. Thank you, Mr. Chairman.

[The prepared statement of Senator Heinz follows:]

#### PREPARED STATEMENT OF SENATOR HEINZ

Mr. Chairman, today we have an opportunity to examine one of the most serious problems facing the Nation—drug abuse and drug-related crime. Perhaps no other

<sup>1</sup> See charts in "Appendices," which starts on p. 309.



issue demands intergovernmental problem solving to the extent that drug abuse does. It touches all of us. From drugs smuggled across international boundaries, to drug sales in neighborhood school yards.

Hopefully, this hearing will promote a dialogue among local officials and spark innovative approaches in other cities nationwide.

Dialogue is essential. A few weeks ago, Bob Armstrong and other members of Philadelphia's law enforcement community and I announced a new program, Operation Drug Free Neighborhoods and Schools—Operation Defense, for short. This program, with modest funding from the U.S. Department of Justice, involves stationing a mobile mini police station in a crime plagued neighborhood. Staffed by police officers and community volunteers, this program will provide a new tool for law enforcement.

What's critical to operation defense's success is community involvement. Neighbors are trained to establish a crime prevention network to take over once the station moves on.

Law enforcement can do part of the job. As the chart indicates, in Philadelphia, arrests for drug-related crime rose from 5,203 in 1984 to 13,468 in 1988—a 158.8% increase in four years. But as Bob will attest, the war on drugs does not begin and end at the precinct station. Clearly our law enforcement officials can't stop this madness alone. We need to encourage our schools, churches, synagogues and community leaders to participate in the effort.

Local communities are on the front line of the drug war, and you don't win wars when only a few people on the front line are doing the fighting. We need more programs like the one created by a major in my state—Tom Duncan of Connellsville. His Drug Prevention Council involves people from all segments of his community in teaching kids about the dangers of drugs.

It's one thing to mobilize our forces for an offensive drug sweep through a neighborhood. What's needed is for the communities themselves to rise up and together establish a defensive network of volunteers to ensure a neighborhood stays drug-free.

What the Federal Government can do, is leverage its assistance to ensure that that defense will be there. I look forward to the testimony from our witnesses today.

Senator SASSER. Thank you very much, Mr. Heinz, and we will begin this morning with Mr. Armstrong, if you would come forward, please, Mr. Armstrong. I thank Senator Heinz for his introduction of Mr. Armstrong. I might for purposes of the record include one or two additional items here. Mr. Robert F. Armstrong was named Special Assistant for Drug Control by Philadelphia Mayor Wilson Goode in February of 1989, as Senator Heinz well knows, and has served for 20 years on the Philadelphia police force. He is a veteran of that force, and he has risen through the ranks of the force to his present position.

He has a degree from Temple University, bachelor of science from that institution, and has a certificate in political science from the Pennsylvania Institute of Criminology, and as an old marine, I am proud to say that Bob Armstrong served in the United States Marine Corps from 1950 through 1953. So Mr. Armstrong, we look forward to hearing your testimony this morning.

#### TESTIMONY OF ROBERT F. ARMSTRONG, DIRECTOR OF DRUG CONTROL, PHILADELPHIA, PA <sup>1</sup>

Mr. ARMSTRONG. Thank you, Mr. Chairman, and Senator Heinz. I deeply appreciate you making me part of this important meeting. It is an honor. I would like to present to you on behalf of Mayor Goode and the citizens of Philadelphia, for the record, the Mayor's Leadership Anti-Drug Council report: "Philadelphia Drug Crisis: A Strategy for Community Preservation." I have a report here and a

<sup>1</sup> See p. 53 for Mr. Armstrong's prepared statement.

supplement, if they may be entered into the record, Mr. Chairman.<sup>1</sup>

Senator SASSER. They will be entered into the record.

Mr. ARMSTRONG. Thank you, sir. In regard to the questions of your letter of April 7, I submit the following. The first question dealt with the escalating problem. Five years ago what was the nature of major crimes in your city as compared with 1988? What percentage of these crimes would you describe as drug related? What do you see as the emerging drug related crime in your city today? In 1984, the number of arrests for major crimes in Philadelphia was 26,094, of which 5,202 or 20 percent were for violations of the drug laws. In 1988, the number of arrests from major crimes was 30,073, of which 13,468, or 45 percent, were for violation of drug laws.

Senator SASSER. That is 20 to 45 percent in four years?

Mr. ARMSTRONG. Yes, sir; 45 percent of the violations were for drug laws. An increase of 15 percent in arrest of major crimes and an increase of 25 percent for violation of the drug laws during that period. A recent survey by the Wharton Forecasting Associates showed that on average persons involved with drug use or distribution commit about 20 percent of all murders and rapes, 25 percent of all auto thefts, 40 percent of all robberies and assaults, and 50 percent of all burglaries and thefts.

I feel in Philadelphia today that 70 percent of our crimes are drug related, and I refer to this chart as a reference. In regards to your second question, the 1986 drug bill, what has been the major impact on your city of the Anti-Drug Abuse Act of 1986 which provided for a greater Federal role in interdiction, education, prevention and treatment and greater enforcement? What do you view as the act's shortcomings?

The 1986 drug bill provided the city with a \$2.25 million coordinated grant from the Pennsylvania Commission on Crime and Delinquency for 6 anti-drug enforcement projects. The police and district attorney units funded with this grant were a significant factor in the increase of drug arrests and cases by 29 percent in 1988 as compared to 1987. This, I would feel, is the major impact of the bill.

The 1988 drug bill—what has been the major impact of this Omnibus Drug Initiative Act of 1988 which provided \$1.6 million for demand reduction program such as treatment and education and supply reduction programs including law enforcement and eradication? What do you view to be the act's shortcomings?

The 1988 drug bill provided continuation of the projects that were funded in 1986. The shortcoming of these two acts was that the funding level was far short of the need. The authorized level for State and local law enforcement was \$250 million nationally, but the appropriation level was less than that. We also point out that we have not received the funding for 1988 as of yet. We are hoping to receive that by July 1989.

The State role, question 3, what has been the Commonwealth of Pennsylvania's historical relationship and obligation to the City of Philadelphia in curbing crime and drug abuse? Have the Governor

<sup>1</sup> See p. 247.

and State legislature been responsive to your needs and financial concerns? Have they acted swiftly in the presence of a crisis? How would you recommend that the relationship be improved?

The Pennsylvania Commission on Crime and Delinquency is under the Governor and has been responsive to our needs and financial concerns as well as the State legislature. Generally, we receive about 29 percent of the State's Federal block of law enforcement funds. However, Philadelphia arrests are nearly 50 percent of all the statewide drug arrests.

Unfortunately, the flow of Federal funds from the State to us generally occurs 12 to 15 months after the President signs the appropriation bill. We need to develop mechanisms in the Federal act which guarantee a level of Federal anti-drug funding equal to the crime problem at the local level and a way to ensure that the Federal funds are awarded faster.

Question number 4: the Federal Government's role. As indicated above, the 1986 and 1988 Federal drug bills called for a greater Federal role in interdiction, education, prevention, and treatment, law enforcement and punishment. Do you think that the Federal Government's past priorities were appropriate and effective in stemming drug abuse and crime? In what areas would you suggest there be a greater emphasis or reform?

The priority levels of 1986 and 1988 are correct, but the level of funding provided for local Government, particularly in our urban city, is inadequate. A good first step would be to appropriate the full authorized level of \$250 million in the Anti-Drug Act, and to ensure that the local Government gets its share based upon need.

Question number 5: the police role. In the wake of this crisis, has your department developed any new programs or projects, for example, the DARE program in California, which are aimed at education and prevention in schools and community centers? Our department is involved with the DARE program and it is very effective. It has to be expanded. Unfortunately, when we expand this program, we reduce the number of police officers that we have on the street fighting crime.

We are examining ways to correct this, possibly by using it as a part-time job for officers on their day off and also experiment with using retired officers. I think the program is very important and very effective, and we should do more to expand it. We also have the CADE program in Philadelphia, that is the Corporate Alliance for Drug Education where business people of our city have given money to provide training and drug education to our early grades. We are also looking to expand that program.

Question number 6: improved communication. Do you believe there has been a breakdown in communication among Federal, State and local Governments in dealing with crime problem? Specifically, what recommendations would you make to improve communication, provide for a greater flow of information and greater access to Federal authorities.

I feel that the communication among Federal, State and local Government in dealing with this drug program is excellent. An example of this would be Senator Heinz from the Federal level coming to a community in Philadelphia to provide or help provide



or take a leading role in providing that community with a mini-police station that is mobile.

We found that mini-stations around our city have been very effective in dealing with crime. However, we are limited to the areas we can place them. This mobile crime fighting vehicle will be a great tool and we will be able to use it from neighborhood to neighborhood, and I am sure we will have great results from the utilization of that.

In addition, through Mayor Goode, I have had the opportunity to meet with Dr. Bennett, Senators Heinz and Specter, Congressmen Foglietta and Gray, and Governor Casey and other officers from the Federal and State Government to talk and try to do something about the drug problem. In fact, today at 2 o'clock, we are having a meeting in Philadelphia to examine ways that we can improve this and representatives from those offices that I have just mentioned are going to take part in it with members of our community, corporate, education, elected, law enforcement, media treatment, religious, and youth worlds of Philadelphia.

We are trying to get everyone involved in the problem. And everyone to be part of the solution. I feel regardless of what the nay-sayers are saying that education has failed, law enforcement has failed and treatment has failed, I feel they have not. I feel that we can be more effective and we should probably communicate more, and that is one of the reasons why we are having that meeting today.

In closing, I would like to point out to you that the relationship between the Federal enforcement officers assigned to Philadelphia and the City of Philadelphia is excellent, and we would appreciate it if you would discourage any reduction in their funding as this has as adverse effect on the drug war in our city. Thank you.

Senator SASSER. Thank you very much, Mr. Armstrong. I will ask the Committee staff to try to hold us to 10 minutes here. Just let me know when 10 minutes has lapsed. Mr. Armstrong, last year the Permanent Investigation Subcommittee of this Committee held hearings on organized crime. This came 25 years after the Velocchi hearings, and we discussed at that time the emerging crime groups.

James Manning and Frederick Martins from the Pennsylvania Crime Commission provided some extremely informative and I thought helpful testimony to those hearings. It is clear that Pennsylvania has been at the forefront in trying to battle the growth of organized crime. Now in addition to the traditional organized crime families, we now are seeing the emergence of new crime groups such as the Columbian drug dealers, the so-called Jamaican posses, operating up and down the East Coast of the United States. And these groups, I am told, and as I read, are extremely violent.

Here in Washington, and we will hear testimony from that I am sure later from our distinguished witnesses, here in Washington these groups are making certain parts of the city virtual battlegrounds. In fact, if the press is to be believed, on some occasions these groups actually control some sectors of the city. Now are these groups gaining a foothold in Pennsylvania or Philadelphia?

Mr. ARMSTRONG. Mr. Chairman, unfortunately they are. And they are using unconventional methods. The drug traffickers are now using juveniles as low level drug pushers. They usually give



them an area between 8 and 10 blocks to operate. Once they get to the 11th or 9th block, war takes place because they are moving into someone else's turf. It is very similar, sir, to in 1960, the early 1960's, when we had a lot of juvenile deaths as a result of gang wars. We are facing the same thing today.

The problem is also complicated by the fact that with the Jamaican, Colombia, Hispanic and Asian groups, it is very difficult for us to infiltrate their organizations, and they have, as you pointed out, been very prone to violence. At the present time, we are pooling the resources from the Federal, State and local levels to form a task force, and that is one of our items for this afternoon, to talk about taking a piece of Philadelphia back. We are going to try and do it community by community, with the existing resources we have. If we meet with success, then we will go for further funding to increase it throughout the city.

Senator SASSER. Do these groups actually control some sectors of Philadelphia?

Mr. ARMSTRONG. They have a very strong influence. They make prisoners out of a lot of the citizens of Philadelphia who are afraid to come out of their houses and it is an unfortunate thing. I have been to every community in the city, and the community is now getting more organized and more vocal. We are now having more demonstrations, but many are still fearful. What we have to do is take citizens from other areas to go and stand in front of drug houses in areas because the people who live in those areas will not come out to demonstrate for fear of being killed or assaulted.

Senator SASSER. Well, what connections are these new groups making with the traditional organized crime families? Are they making a connection with what we perceive as the traditional organized crime families or is this just an ad hoc deal-by-deal basis as far as the new groups moving in are concerned?

Mr. ARMSTRONG. It has probably moved away from the traditional organized crime families who controlled most of the crime, selling of drugs, numbers or any other operation in the city, and it is now scattered. It has spread across many areas of the city based on not only our own native born, but those from Asia, China, Colombia, Jamaica, etc., and this compounds our problem. Instead of dealing with the one element as in traditional organized crime. It is difficult to say we were better off then. I do not think we were, but this is a different front that we are now facing, and we are going to have to devise ways to overcome it.

Senator SASSER. Are these new groups putting down permanent structural connections in the community or are they just simply individuals who move in and move out and do not seem to have any cohesive structural formation?

Mr. ARMSTRONG. I feel that suppliers are moving in and out of the city, but I think they are establishing area footholds into the community that are going to get stronger and stronger and eventually like organized crime infiltrate legitimate business and things like that. And we have to do everything we can now to stop that.

Senator SASSER. You indicated, Mr. Armstrong, that of the \$250 million that was authorized for the Omnibus Drug Bill that the appropriations level had fallen short of that amount.

Mr. ARMSTRONG. Yes, sir.

Senator SASSER. And you stated that one of the greatest things that the Federal Government could do in the war against crime is to fully fund these initiatives that we passed here. Tell us, and I do not disagree with that. I think there is an awful lot of smoke and not as much fire, I think, as we need at the Federal level in this so-called war against drugs. But let me ask you this. What are these funds used for?

These Federal funds, when they reach the city of Philadelphia, for example, what would they be used for? And what type, what are the needs of the law enforcement officials in Philadelphia to combat the sale of drugs and the drug lords?

Mr. ARMSTRONG. The funds that we have received sponsored a program in the Philadelphia Police Department in regards to juveniles and organized crime and drug dealing. It also provided two programs in the District Attorney's office, one for a profile of drug offenders, and another for a dangerous drug offender unit. In addition to those units, they also provide money for pretrial services, for adult probation and for the prisons. The prisons it provided, I believe, 50 more beds for prisoners involved with drug abuse. Now the 1988 bill will provide for the continuation for the five of those programs. The sixth in the prison was already provided for and there is no need for any further funding at this time in that area.

Senator SASSER. Let me ask one more question, and then I want to defer to Senator Heinz. I am fascinated by this concept of a mobile mini-police station. Tell me what that is and how it operates.

Mr. ARMSTRONG. What we have found is that the utilization of a mini-station has reduced crime within about a three block area surrounding the mini station. In those mini-stations, we have provided police around the clock, if needed, but for the most part they spend 16 hours there. The wee hours of the morning it is really not manned. In addition to that, they have community people who come in and help us, and also we have other parts of city Government, licensing and inspection, the water department or whatever, can also be there on certain days of the week to provide that service to the citizens of Philadelphia. And providing services for our citizens is very important.

I think there is no question about it that we need more money to fight the drugs, but I think there is no more important element than the human element, and I feel we are getting that now in Philadelphia with our community members. The mini-station that will now be mobile will provide service in various communities. The district that we have selected, the 35th district in Philadelphia, is a very active community district. It has about six areas of very serious drug problems. We have put a mini-station in one of those areas on a permanent basis in a building, and it has been very effective.

Senator HEINZ. Bob, how many areas of drug involvement did you say?

Mr. ARMSTRONG. At least six, I would say, that are very strong and serious, Senator. And we feel that we should go into these areas one by one by one and take them over and return them to the community. I do not think we are capable of taking the whole program on at this time. There is a possibility we may fail. We do

not want to fail in this endeavor. We have to have success, and we want to show the citizens that by the utilization of this, the support of a strong law enforcement and the other departments within the city, we can do it. I do not think it is a question of can anymore. It is we must do it.

Senator SASSER. Well, one final question. Are these mini-police stations, some of them are in buildings? Some of them are in vans? Is that it? I am trying to conceptualize what they are?

Mr. ARMSTRONG. Mr. Chairman, prior to the mobile van that we have, they all have been in buildings in various parts of the city. We have them in some of our housing projects, and they have been very effective, and we have them in stores and malls and houses throughout the city. They have been all over our city very popular. However, it is very expensive to provide that type of building and to staff them. So by utilization of a mobile one, we could use one van to service many areas in the city. And if this is effective, we hope to increase the number that would be used in our city.

Senator SASSER. So in essence, what you are doing you are putting what I would characterize as a police strong point and a police communication center right down in the center of an area where you have a very serious problem. And so this gives the residents of that community a place to turn when they need help and also would act, I would guess, as a discouragement to the druggers in that particular community?

Mr. ARMSTRONG. That is correct, sir. In fact, the Mayor will spend "x" amount of hours there to meet with the residents of the community and talk about their problems, which he has promised to do, and will do.

Senator SASSER. I think that is a very excellent concept. Thank you very much, Mr. Armstrong. Senator Heinz.

Mr. ARMSTRONG. My pleasure, sir.

Senator HEINZ. Mr. Chairman, just to provide a few minor details in response to your questions about the mini-van program, as Bob has mentioned, the city found that these semi-fixed location, mini-police stations worked. And as we all know, there is not a neighborhood in the world that would not like its own police station just as there is not a town, no matter how small, that would not like its own post office, and for good reason.

Both police stations and post offices in effect become centers of a community. They become sources of great pride. In a neighborhood where there are drug dealers, perhaps in some cases not just on every corner but in-between as well, as unhappily there are in some areas of Philadelphia, often there is no way to provide a fixed number of mini-police stations. So I asked my staff, knowing that the city wanted some of this Federal money that Bob wants more of, to explore the feasibility at having a mini-mobile police station in the form of a van, a little trailer if you will to provide targeted neighborhoods the kind of facility around which to organize not just police work. That "physical" organizing is the easiest part, but organizing a sense of community hope and confidence, that could be reinforced at some future time after the van has moved on, is hard work.

That is my concept, and it is going to be up to a lot of very community-conscious, neighborhood-committed people to make it



work—clergy, citizen activists, people in the education system. All are going to have to be part of the solution if we are going to solve any part of the problem. That is what it is all about.

Now I would like to ask Bob some other questions about money since it is important, although only a facilitator. It is not an end in itself. Bob, you mentioned that you are still waiting for your Fiscal 1989 money, money that was appropriated on or about October 1 of last year—we got all of our appropriation bills done, I think, Mr. Chairman, by the bewitching hour last year, something of a record, or close to it. You have not yet received the money appropriated last fall. You anticipate receiving it when? This summer?

Mr. ARMSTRONG. We were hoping by July, Senator.

Senator HEINZ. What are you told now?

Mr. ARMSTRONG. When were we told?

Senator HEINZ. What have you been told? Are you told that you can expect it by July?

Mr. ARMSTRONG. We were told we can probably expect it by July, nothing definite, sir.

Senator HEINZ. Do you know when the money for the previous year, fiscal 1988, was received? Was it also received on or about July of the next calendar year?

Mr. ARMSTRONG. Took about 12 months, between 10 and 12 months, sir, to get it, which presents a problem. The quicker, just like the dying patient, the quicker we can get the treatment there, the less problem it becomes.

Senator HEINZ. And is the problem getting better or worse in terms of timely commitment of the funds? Clearly, it is not good if you have to wait until July, but is July earlier than the year before?

Mr. ARMSTRONG. That is correct, sir, if we would get it in July.

Senator HEINZ. So we are making some improvement there?

Mr. ARMSTRONG. Yes, in 8 months.

Senator HEINZ. But it is still a long time. Now in addition to that problem, I understand that where money that has passed through the State is concerned, the wait is even longer?

Mr. ARMSTRONG. That is correct, sir.

Senator HEINZ. And you indicated something like 14 months is—

Mr. ARMSTRONG. That is correct, sir. And sometimes it is categorized where the community cannot make the decision. Particularly, if we are coordinating a law enforcement treatment and prevention programs, if they categorize it we cannot move it, and we would like to have the right to move that where problematic.

Senator HEINZ. I assume that the State has the same problem? They do not start committing money until they actually have their hands on it, and they are not going to have their hands on it until you get your hands on your share; is that right?

Mr. ARMSTRONG. That is correct, sir.

Senator HEINZ. So then they need some additional time to do their due diligence and other work. Is there anything, having said that, though, that the State can do?

Mr. ARMSTRONG. I think maybe the Federal Government could provide funds direct to the community and that would certainly cut down some of the time.



Senator HEINZ. That was a debate that many of us had on the drug bill. I and Senator Specter and others felt that there should be more direct funding to cities. It was a debate we did not succeed in winning. There were very strong arguments made, apparently persuasive, although I still support providing more money directly to the cities, that caused our colleagues to do things as they turned out.

What we need to do now, therefore, is in addition to describing the delay, try to develop for the record why current state-level linkages are either just not worth the time and effort or counter-productive. I do not want to suggest that the State is doing anything wrong; it has been told to do something. Nonetheless, does the State's involvement in passing money eventually to you add any particular value to what finally comes to you? Do they provide additional resources? Is there some additional partnering between the State police and your police? What value, if any, is added by the State's involvement?

Mr. ARMSTRONG. We go up there in a joint effort with the various programs that we have, and we present them. We did that about a month and a half ago, and it shows a unified front that we are all concerned, the District Attorney and the prisons and all, to obtain the money. We have to tell them how we are going to utilize the money. And I think that we should be accountable for that money. However, I think that they could probably do it, pay us directly, and we would certainly provide accountability for the utilization of those funds. I think it is a process it goes through, and of course, it may be involved with the different fiscal years that the Federal Government and the city Government and the State Government may have, but I think we should be able to get around that to account for the money, to provide it at more rapid rate.

Senator HEINZ. So you are saying all the State does currently is to function as a very tight-fisted paymaster and accountability agent? They do not add value other than that?

Mr. ARMSTRONG. Yes, sir. And it is not an adversary role they are putting to us. I think it is just that they have to account to the Federal Government, and it just makes the process—

Senator HEINZ. And you would like to cut out the middle accounting man; is that right?

Mr. ARMSTRONG. Well, they say that you can always get a better buy if you deal directly.

Senator HEINZ. And we do not blame you for trying, and we hope you will try. I do not know how I am doing on time, Mr. Chairman, if I am getting close or if I have exceeded my ten minutes, let me know. But of all the money that you get, whether from the State or directly from the Federal Government's modest Bureau of Justice Assistance Program, which funded the mini-van, what are the most important uses to which you put those funds, those resources?

Mr. ARMSTRONG. I think it is a four front battle, Senator. I think we need strong law enforcement. I think we need strong law enforcement. We need strong prevention. We need strong treatment, strong rehabilitation. I think we are shooting ourselves in the foot if we do not look at them as equal problems and deal with them accordingly.

We have arrested 5,000 more people in 1988 than we did in 1987. The problem has not improved. It is like pruning a tree. You cut off one branch, another one grows in stronger. It is so lucrative that it just encourages people to come. And I think as James Mill said, we have to uproot the whole tree, chop it up, burn it, and then bury the ashes. We have to take very, very strong measures against it.

Senator HEINZ. In the 1988 Drug Abuse Act, we shifted emphasis somewhat from enforcement to education and prevention. The mix of funds went from 60-40 towards enforcement to 40-60 towards education. Was that a mistake?

Mr. ARMSTRONG. No, sir. No, sir. I think those areas are very important. If we can prevent people from getting involved with drugs by prevention and education, it is money well spent. And it is going to reduce the number of people we are going to have to incarcerate. It is going to reduce the number of people we are going to have to arrest in the long run.

Senator HEINZ. One last question, Mr. Chairman. I have been privileged, Bob, to go to a classroom in Philadelphia and see the DARE program that you described in your opening statement in operation. It was quite remarkable to see not only how interested 5th grade students, boys and girls, were in the subject, how interested they were in learning how to cope with peer pressure, but also to save what a good job the city's uniformed police officers do. I can understand your concern about taking them off the street and putting them in the classroom, that the department is stretched too thin to do that, but I must tell you they do a wonderful job, and they undoubtedly are building linkages between themselves, the police force generally, and the communities that are enormously valuable in addition to the educational component.

Another program in Pennsylvania has been in use experimentally since 1983, more broadly since then, known as the "Here's Looking at You Program," which is different from the DARE program, which as I recollect, is an invention of the Los Angeles County Police Department. The former was developed by a different group in Washington State, as I recollect, and many school districts use it.

The main difference is it starts, albeit modestly, as early as kindergarten and runs all the way through high school—it is continuing anti-drug education. Do the Philadelphia public schools use any component of that program, do you know?

Mr. ARMSTRONG. Yes, sir, they do. They have several programs like that. In fact, they have also utilized a school Assistant City Superintendent to deal primarily with drugs, Mr. Ed Zubrow, who gave up his coaching, very successful coaching job at University of Pennsylvania, to take care over that job. And he and Gwen Porter have utilized these programs, DARE and Here's Looking at You 2,000.

Senator HEINZ. And as you and your people, the people on the street, your police officers and others, examine those programs, can you see any effects yet, or is it still too early?

Mr. ARMSTRONG. I think we can see some effectiveness in the program. In fact, we have some of the children turning in their parents to us. They have addicted parents, and it is very sad, but

we have to work on that end also. But I think the program is effective, and I think we are well on the way to quite a few drug-free schools.

Senator HEINZ. Mr. Chairman, thank you very much. Bob, it is good to have you here.

Mr. ARMSTRONG. Thank you, Mr. Chairman, and thank you, Senator.

Senator SASSER. Thank you, Senator Heinz. I am struck by just these numbers. I want to make this observation before moving on to our other witnesses. We have got a lot of work to do today. But just looking at this chart that Mr. Armstrong has presented to us today, it indicates the number of juveniles that have been arrested. The increase from 1984 to 1988 in the City of Philadelphia is almost 300 percent. It indicates that the number of drug-related arrests in the City of Philadelphia have increased in the space of 4 years by about 250 percent.

Looking here at your testimony, Mr. Armstrong, I note that 40 percent of all of the robberies and assaults in Philadelphia are drug-related, 50 percent, one-half of all the burglaries and thefts are drug-related. 25 percent of all the auto thefts. The American people are paying for that everyday and the people of Philadelphia in auto insurance premiums, home owner's insurance premiums. We are paying for it whether we know it or not.

And here we have testimony from you that we have not even gotten the \$250 million that we authorized in the 1988 bill out to the cities and the States yet. And to give you some idea, I will put that \$250 million in a frame of reference, that is about one-half of the cost of one stealth bomber. It is about the equivalent cost of one small ship, a frigate for the United States Navy. And we cannot get that amount of money, Senator Heinz, out to the law enforcement people of this country who are stretched to the breaking point.

I think it is a disgrace and we have got to do something about it, and that is one reason we are holding these hearings.

Senator HEINZ. Mr. Chairman, I hope we will have the Administration people up here to explain that to us, too.

Senator SASSER. Well, I certainly hope so. And I do not mean to make a partisan issue of this. It is something that we have all got to share the responsibility for, and we simply have got to get the resources to these people down on the firing line where they will do some good. Thank you, Mr. Armstrong.

Mr. ARMSTRONG. Thank you, Mr. Chairman. Thank you, Senator.

Senator SASSER. Well, we are pleased to call now our next witness, Mr. Joe Casey, the Chief of Police of Nashville, Tennessee. Mr. Casey has served as Chief of the Nashville Metropolitan Police for 16 years. He has worked his way up through the police department in Nashville, beginning as a police officer in 1951, then a detective, a sergeant, inspector, a major, and finally Chief of the Metropolitan Police Force. Among his many accomplishments, Chief Casey was a former professional baseball player and an excellent athlete, I understand.

Senator HEINZ. This is not Casey who was at the bat?

Mr. CASEY. And he struck out and was still striking out.

Senator SASSER. In any case, Chief, we are delighted to welcome you here today and look forward to your testimony.

**TESTIMONY OF JOE D. CASEY, CHIEF OF POLICE, NASHVILLE, TN, FORMER PRESIDENT OF THE INTERNATIONAL CHIEFS OF POLICE ASSOCIATION<sup>1</sup>**

Mr. CASEY. Thank you, Senator Sasser and Senator Heinz. It is indeed a pleasure for me to be with you this morning. And on behalf of the City of Nashville and the State of Tennessee, I thank you for affording me the opportunity of commenting on several issues of immense importance to the entire law enforcement community.

I too am very enthusiastic about the new era of Federal, State, local cooperation in the drug war which has been signaled by the appointment of William Bennett as Director of the Office of National Drug Control Policy. Given the limits of Federal jurisdiction and Federal law enforcement personnel, it should be clear to all that the brunt of this war must be shouldered by State and local Government.

Only a strong working relationship and frank dialogue linking Federal, State and local Government will adequately address the scourge of drugs in our society. The nature of major crimes in the metropolitan Nashville area has remained fairly consistent over the last 5 years while the volume has increased. We are still seeing burglaries, larcenies and other property crimes at least in volume as our major problem.

For the past several years, we have felt that the primary motivation for these types of crimes relate to drugs. That is these crimes are committed in order to generate revenue which is, in turn, used to purchase drugs. A portion of the increase in crime can be attributed to the demographic changes we have experienced in this area during the past few years. Still, however, the most plausible explanation is that the increase in the overall crime rate is directly and proportionally tied to the increase in drug trafficking and availability.

Another byproduct of the increase in drug trafficking is the increase in unsolved homicides that cities of our size are experiencing. Washington, D.C. is certainly not the only city, and the Chief here is not the only chief experiencing this problem. The empirical, statistical data indicates that the protection of a particular drug territory has accounted for a major portion of these homicides. While we do not yet have sufficient conclusive statistical information to make a definitive statement at this time, we suspect that 80 percent of the increase in personal and property crimes are related to drug activity.

We have gathered sufficient intelligence to indicate that our most pressing drug related problems exist in the increased infiltration of drug dealers from the larger cities. Our city being the hub of the Southeast provides an attractive market for displaced drug dealers who have been forced from their territories in larger cities.

<sup>1</sup> See p. 59 for Chief Casey's prepared statement.



We have not felt the major impact from the Federal Anti-Abuse Act of 1986 here in the Nashville area. While this act may fund and authorize a greater Federal involvement at the local level, we would benefit only from any trickle down effect which may be forthcoming. To date, we have received little measurable benefit. What we must all realize is that while the war against drugs is a national problem, it must be fought at the local level.

The various Federal agencies charged with this responsibility do a credible job. But for the most part, their efforts are directed from Washington. It should be recognized that there is a wealth of talent at the local law enforcement agency level who with proper funding, logistical support and authorization could wage these wars in the trenches where the battle must be won.

This is where the 1986 Act falls short. The act arms the Federal agency, but it does little to arm local agencies. Since Federal funds are initially derived from the paychecks of the local taxpayers, why cannot a portion of these funds be distributed to the agencies having direct responsibility for protecting these taxpayers?

Why cannot the Federal Act give enforcement authorization to qualifying local law enforcement agencies? I realize that the argument can be made that local funds should be used and that local legislatures should enact its own laws. This, however, is not a realistic argument for two reasons. One, because the Federal tax burden imposed on the local taxpayer is so great, State legislatures are hesitant to add to that burden.

Two, local political considerations often roadblock the path to meaningful legislation. Certain portions of the 1986 drug bill are in theory very beneficial to local agencies. Section 1366 allows for forfeited property to be transferred to local participating agencies. Section 1401 allows armed career criminals to be prosecuted in Federal court using state convictions as the underlying felonies. Section 1451 provides for limited funding of local projects.

Section 1868 allows for cooperative agreements between Federal and State agencies. In practice, however, the local agencies receive only the assistance that manpower allocation allows. It is understandable that Federal law enforcement agencies operating with minimum manpower themselves do not have the time to provide this assistance, particularly since the majority of the Federal resources are directed at the Nation's port cities.

I do not want anybody to misunderstand me that we are not getting cooperation from the Federal people, we are. But they just are undermanned and do not have the manpower to do the job. Local agencies are capable of commanding their own ships. With proper funding and authorization, local agencies can make a sizable impact at the local level, and thereby free the Federal agencies to focus on the national picture.

It is too early to accurately and fairly assess the impact of a similar 1988 Act. However, the same shortcomings spelled out above concerning the 1986 Act appear to apply to the 1988 Act. Our relationship with the State law enforcement agencies has been at best weak because of the limited resources available to those agencies and their desire for the major cities within the State to maintain autonomy in enforcement activities. Joint investigative ventures have been minimal.

Likewise, we receive limited cooperation from State law makers in procuring additional penal resources. For the past few years, the State has managed to shift the burden of housing prisoners to the local agencies. Since the jails maintained by the local agencies were never designed for long-term housing of prisoners, local law enforcement officials are forced into the position of maintaining a small prison without the facilities to do so.

Resources which were previously devoted to enforcement activities must now be diverted to the housing of prisoners. The overcrowding of the prisons both State and local has allowed multiple offenders to escape by court order. This leaves these criminals at liberty to commit additional criminal acts. So far whether it be for political consideration or other reason, the State law makers have demonstrated a reluctance to deal with this problem head on. I feel that if sufficient housing were available and if swift and certain punishment were the order of the day, we could reduce the crime rate.

Additionally, we could displace those criminals who see our State as an easy mark for their activity. Obviously, the Federal Government in combating drug activity has been focused on the port of entry States. This leaves the remaining States to fend for themselves with little or no Federal assistance. While the Federal agencies confiscate tons of drugs as they enter the United States, more than enough escape detection and make their way into the drug trafficking network to create the severe problem we face at the local level.

For example, we have seen the wholesale price of cocaine in Nashville drop in the past 2 years from \$26,000 per kilo to \$16,000 per kilo, indicating proliferation on the supply side economies.

The focus must shift. We need more help at the local level. We must concentrate on the users and the local sellers. No matter how great at the port of entry, there will always be a sufficient supply to create problems at the local level. We need to reduce the demand by attacking the user and the seller. This must be done at the local level.

Local law enforcement agencies do not have the luxury of devoting their activities to one effort. We must fight the drug war while at the same time maintaining the multitude of services local agencies must provide. As much as the resources allow, the metropolitan police department has instituted as many drug related projects and programs as possible.

The vice control division is currently manned to the maximum strength resources allow. Within this division, the majority of the manpower is devoted to drug activity. Activities such as gambling, prostitution, and so forth are low in priority compared to drugs. We have recently instituted a drug abuse resistance education program modeled after the successful program in other communities. This is a full time position for these officers. This is a joint effort with the local board of education. Initial reaction to this program has been favorable.

We believe that the long-term benefits will justify the present expenditure of manpower. We have recently initiated several crime suppression units within our patrol division. These units are

manned by aggressive officers who focus primarily on drug trafficking and drug related criminal activity.

We are currently involved in the study and assessment of present and potential street gang activity in our area. We have observed the drug problems created by gang activity in other cities. We hope that by devoting manpower to the suppression of gang activity early on, we will not experience the problems experienced, now faced by other cities. It is my opinion that there has been a breakdown in communication between the Federal, State and local law enforcement agencies. I am not trying to blame anyone for this.

I am just saying that there has been a breakdown in communication. I believe that the only way that these communications will improve is by working together more closely. Again, we are asking for help at the local level. We need funding and we need to work together. This is a national problem which can be solved only through a cooperative effort. In closing, Senators, allow me to caution you that in considering the drug trade and the escalation in crime, it is certain that you will be drawn to the issue of firearms in our society.

The link between guns and drugs is obvious. The relationship between the proliferation of guns and the rising homicide rate is obvious. We have to decide what kind of society we want to have. The IACP has long supported a firearm purchaser screening program which would include a national waiting period and background checks for all prospective purchasers of handguns. We are in full support of the Congress as you consider the regulation of assault weapons. We know that there are extreme differences in opinion concerning these guns.

We hope that both houses of Congress will have a full airing of the relevant issues and that a compromise can be reached which will serve the needs of all the people. The public is looking to you for guidance. The public is tired of senseless violence. In the last two decades, we have had over 480,000 people murdered in this country. Experts tell us that approximately 50 percent of those are drug related. So we are talking about 240,000 people that have been murdered in drug related.

This is not people that for some reason took their life or was killed by an accident, or even overdose. These are people that wanted an opportunity to live in a free country and have been deprived of that by drugs. Thank you again for allowing me to come before this Subcommittee. I will be happy to respond to any questions.

Senator SASSER. Well, thank you very much, Chief Casey. We very much appreciate your statement here today, and your efforts in years past. Chief, in your statement, you point out that areas such as Tennessee are being invaded by drug dealers, who are being pushed out of our larger cities. Perhaps as Mr. Armstrong pushes some of them out of Philadelphia, they move south to Nashville, or as they are pushed out of Miami, they come north.

Mr. CASEY. Pushed might not have been the proper word. Maybe they have been expanding their territories or maybe things do get hot for them in a certain city, and then they move on to other cities.



Senator SASSER. Right. We have seen that in Florida. You indicated a moment ago that as the Federal Government which seems to be primarily interested in the State of entry or port of entry of drugs, and we have seen as we have increased Federal efforts there, that what has occurred is those bringing the drugs in overfly Florida, and we have seen them land in many of our little mountain airports in East Tennessee.

Mr. CASEY. Yes.

Senator SASSER. And then actually take the drugs and truck them or drive them back to Florida, back down south or up north, operating out of little mountain airports up in the Eastern part of Tennessee. But last year, the Permanent Investigation Subcommittee held hearings on organized crime, and as I indicated earlier, they found that more and more of the drug trade is being taken over by a younger, and I might say a more vicious criminal element. Are you finding in Nashville that this increased drug crime is being run by the traditional organized crime organizations or are you encountering there these new young gangs?

Mr. CASEY. They are new young gangs, and we are seeing members from especially the Crips and the Bloods from L.A. coming into our area and attempting, even putting out applications for members to join their gangs. We do not have any information yet that those gangs are actually as active as they are in some other cities. And that is the reason we really stepped up our enforcement in trying to keep that under control. Hopefully, it will not happen. That is one of the things that we were told by some of the administrators in some of the other cities that already have these problems, that you have got to admit that the potential is there, or admit that it may be a problem, and then you have got to try to address that and not say, oh, we do not have a problem until you wake up one morning and they have taken over, and then it is too late. And hopefully we are making some inroads there.

Senator SASSER. What is the name of this group from Los Angeles?

Mr. CASEY. The Bloods and the Crips.

Senator SASSER. Bloods and the Crips from Los Angeles are now, you think, in Nashville, and these new gangs, are they making any contact with the old organized crime apparatus or do they even need to?

Mr. CASEY. No, they do not need to. They do not want to. They want to take over themselves, and if anybody gets in their way, they eliminate them.

Senator SASSER. So they are bringing in people from outside and these outside people, I gather, are recruiting local people?

Mr. CASEY. Yes, sir.

Senator SASSER. So they are forming their own new criminal gang or structure to carry out these illegal activities.

Mr. CASEY. And when you see they can offer a young person \$200 or \$300 a day to sell crack on street corner, they cannot make that kind of money doing anything else, and it is very attractive to them. And we get the people that recruit people and get them in the business, and we do very little to them. And they see them right back out doing the same thing.



Senator SASSER. In other words, after you apprehend them, within a short period of time they are back out on the streets?

Mr. CASEY. Yes, sir. And it is no deterrent. Now a lot of our drug problem is—and it is not limited to that—but it is in the housing projects and around those areas. And you see a young person there and their family is struggling, if they are fortunate enough to still have both their mother and daddy, or if they are living with the father or the mother, whichever it might be, they are struggling to make a living. Here is an individual in the middle of them that has got a Lincoln and a Cadillac sitting in his yard and fine clothes and pocketful of money, and a lot of visitors and never works, does not have to work, and then occasionally the police visit him, take him away. In an hour or two, he is back doing the same thing. That is not much of—

Senator SASSER. Not much of a deterrent to the young.

Mr. CASEY [continuing]. Deterrent.

Senator SASSER. Yes.

Mr. CASEY. But if that individual did not show back up for 15 or 20 years, it might be a deterrent. The way it is now it is just not a deterrent.

Senator SASSER. I would say if you did not show up for 5 years that might be a little bit of a deterrent but—

Mr. CASEY. It may be, but I—

Senator SASSER. I agree with you that if this individual becomes a role model—

Mr. CASEY. And that is what is happening. I never thought that about 3 years ago I read an article by an inspector in the Detroit police department. He was talking about the homicide rate there that year for juveniles being the highest it had ever been in the history of that city, and the reason for it was they were killing each other for the right to sell crack on the street corners. Also, in that article, he stated they were making between \$200 and \$250 a day to sell the crack.

He said and do not be surprised if you ask a young person in the City of Detroit what they want to be when they grow up if they tell you it is a drug dealer. It is not going to be a doctor or a senator or policeman or anything else. It is going to be a drug dealer. I never dreamed that I would see that happen in Nashville, Tennessee. But we started the DARE program this year, and we have already had one 12-year old tell one of our officers that that is what they are going to be when they grow up because that is where the money is.

Senator SASSER. A 12-year old when he grows up aspires to be a drug dealer?

Mr. CASEY. Yes.

Senator SASSER. And that is his ambition in life.

Mr. CASEY. That is his ambition in life to be a drug dealer. It is a sad commendation for our country when we get in that shape.

Senator SASSER. Well, I am reminded of stories I hear of young people laughing at the "Just Say No" concept because they say why should I just say no to a life of ease and life or luxury, and that is what selling drugs in many areas of this country will give them.

Chief, these new gangs, these new groups that are coming in, how do they compare with regard to their viciousness or danger-

ousness they might be with the old groups that are already in Nashville or the old criminal element?

Mr. CASEY. They are very dangerous people. Crime has become much more violent in this country today than it ever was. We have always had violent crime but not on the magnitude that it is today, and I think that drugs have caused that. I guess the greed for the amount of money that is there, and if anybody gets in their way from making that money they are going to eliminate them, and they do this. Many of our homicides are just for that reason.

Senator SASSER. Are these individuals——

Mr. CASEY. I think the best example in the world, and I am not trying to take anything away from here is what is happening right here in Washington, D.C. And these people will hurt you. They are not playing games, and they are our enemy, Senator. I believe that the biggest enemy that this country has today is drugs and drug dealers.

I do not think any communist country in this world is the threat to this country that drugs is and drug dealers, and I think we in this country have got to look at this problem that way. And when we say we are at war with drugs, it has got to be from the top to the bottom we are at war, and whatever it takes to get it under control, we had better do it, or it is going to destroy our country.

Senator SASSER. Well, chief, I just want to say that I agree with you. I think the threat of the drugs in this society today is the most serious threat that this country has. And drugs have become part of the culture of this country, and I think you enunciated as well as anyone when you tell us of the young adolescent who aspires to be a drug dealer. That is his life's ambition. Now that is a very, very serious problem, and we have integrated drugs into the culture of this country now to the point that I think it is doing very, very serious and almost irreparable damage both in the family structure and both in the economy, and we have simply got to root it out.

Let me ask you one question here. On page 5 of your statement, you do mention that one of the helpful parts of the 1986 Drug Bill is the assets sharing provision.

Mr. CASEY. Yes, sir.

Senator SASSER. Now frankly I am pleased to hear that because I was the author of that amendment.

Mr. CASEY. Well, it has been very helpful to us.

Senator SASSER. Good.

Mr. CASEY. In fact, our assets that we have received from the drug confiscations is just other than the salaries is funding our drug program, all of our drug programs.

Senator SASSER. Now as a result of being able to share the assets, these illegal assets that you seize in a drug bust or a drug raid, I think Nashville has already received \$200,000 if I am not mistaken, and if you have got a quarter of a million dollars in shared asset sales pending.

Mr. CASEY. Right, yes.

Senator SASSER. And you share these assets 50/50, Federal/State or Federal/local?

Mr. CASEY. Well, it depends. Sometimes we get more than that. It just depends the involvement.

Senator SASSER. Good. Well, we put that in the bill because that would be of assistance to local law enforcement officers. And I am pleased to know that it is working. Now one very troubling aspect of your testimony to me here this morning is apparently you perceive some breakdown in coordination between Federal, State and local authorities, who perhaps were not doing as good a job as we could.

You attribute some of that on the Federal level to lack of personnel. What can we here in Washington do to have a better coordination between Federal and local officials so that we can have a coordinated attack on drugs at the local level?

Mr. CASEY. When you look at middle Tennessee and you have only got six drug enforcement agents working in that area, they cannot spend much time with you. They have got to spread it around, and just do not have the manpower to do it. I am not saying that these people are not willing, and I would not want anybody to get that, that they are not willing to help, they just do not have the manpower to do it.

And the FBI is not that much better off. They are spread so thin that they do not have the time to do it, and all of the different things that they are involved in, white collar crime, bank robberies and everything else. So they cannot spend all of their time with drugs. But we do have a good working relation. I guess what I am trying to say is the manpower is not there to do it, and maybe we could do a better job with what little we got if we did a better job of communicating.

Senator SASSER. Well, what you are telling me, as I understand it, is that the lines are stretched too thin here in our drugs against drugs?

Mr. CASEY. They are stretched too thin. I think we did an outstanding job on the border cities, and probably they would tell you they are short, too, but I think we have done a better job of trying to put the manpower. And what I am saying is these people are good dedicated people. They just do not have the bodies to do it. It is the same thing I have got in my department. I had to make a decision to go out and try to fight the war on drugs, or do I say we are fighting it, and continue to work. A lot of our manpower are distributed fairly equally with prostitution, gambling and things like that.

So I made the decision that we are going after the drugs because that is where most of our crime is coming from, and I have got some criticism from that. But I do not have the bodies to do it. We do enough of it to say we are doing it but not to do it like it should be done.

Senator SASSER. I see. Well, chief, your testimony has been very, very helpful to us today.

Mr. CASEY. I would like to leave with one thing.

Senator SASSER. Yes, sir.

Mr. CASEY. One phase of it is not going to do it. It is going to take education, rehabilitation and enforcement. And enforcement, although I have some strong reservations what should be done with some of these people, forget about what Joe Casey thinks should be, it is the surety that something is going to happen to them. It has got to be, some of that burden has got to be put on the users



too because we now consume over 60 percent of the illicit drugs in this country. And that is a sad commendation for our country.

Senator SASSER. Well, I agree with you. I think it is a two-way street, and there would not be any sellers if there were not buyers and users. And quite frankly, the users need to be prosecuted to the fullest extent of the law and we need to make an example of users as well as sellers.

And of course, with the users, that is where we need to bring in the whole question of education and rehabilitation. I might say this to you, chief. A couple of years ago, I toured the metropolitan jail there in Nashville. I talked to a number of young inmates. One of these inmates told me, he said, Senator, we had classes in my school in which we were told that cigarette smoking and tobacco use was bad for you and hazardous to your health, but he said, nobody ever told me that drugs could be hazardous to your health or could be deadly or could cause physical problems.

He did not state it in quite those terms, but that, in essence, was what he was saying, and I was struck by that. I thought, well, gosh, I thought everybody knew drugs were bad for you. But apparently this young teenager, he was saying that he was not made as acutely aware of that as he was smoking cigarettes would shorten his life.

Mr. CASEY. That is probably true, sir. I think in the last few years, there has been more emphasis put in that direction. I think there are some other good programs out. I am sold on the DARE program. I think it is a very good program. We are trying in this state legislature to get a bill passed to make it mandatory in all the school systems in the State of Tennessee. Whether that is going to pass or not, I do not know.

But again, then you have got a lot of local governments say well I do not have the money and the manpower to do it, but we had better find the money and the manpower to try to attack this problem, or nothing else is going to matter. It is going to eat us up.

Senator SASSER. Well, I agree with you, and I think your testimony here has been very helpful to us in sounding the alarm, and pointing out to us some of the things that we need to do better here at the Federal level to get the action down to where the rubber meets the road. And that is on a local level. Chief Casey, thanks very much for appearing here today. It has been very helpful.

Our next witnesses today will be the Assistant Chief of the Metropolitan District of Columbia Police Department, Chief Isaac Fulwood, Jr. He will be joined by Ms. Carol Thompson, the City Administrator for the Government of the District of Columbia. Ms. Thompson, Chief Fulwood, please come forward. We welcome you here today. We are pleased to have you, and Chief, for the purpose of the record, would you identify your assistant there. I ought to know him and I am afraid I do not.

Mr. FULWOOD. Yes, this is Deputy Chief Sam D. Morrison, who is the Director of the Office of Finance and Management.

Senator SASSER. Assistant Chief, we welcome you here today, and we are delighted to have you. And we will begin this morning with you, Ms. Thompson. We are pleased to have you and just go right ahead with your prepared statement.



TESTIMONY OF CAROL B. THOMPSON, CITY ADMINISTRATOR,  
WASHINGTON, DC

Ms. THOMPSON. Thank you very much, and good morning, Mr. Chairman. I would like to submit my testimony for the record<sup>1</sup> and summarize this statement for you. Then Assistant Chief Fulwood and I will be available for questions. I appreciate your holding a hearing on an important subject of inter-governmental cooperation in fighting the drug problem, and on behalf of Mayor Barry, I would like to thank you for providing the District of Columbia the opportunity to testify this morning on an issue that is very critical to our city.

The problem of drug abuse is the most critical domestic problem facing this country, and the issue of inter-governmental cooperation is vital to our being able to implement effective strategies for combating it. This morning I would like to emphasize two main points and then recommend a number of actions. The first point I would like to emphasize as has been stated several times this morning is that the problem of drug abuse is not limited to any city, region or State.

This year the District of Columbia has become a focus of the national media because of our drug problem. While warfare among drug dealers here has significantly contributed to an unusually high homicide rate, violent crime levels according to a recently released FBI report are actually higher in many other cities such as Atlanta, Boston and Dallas.

In other words, drug abuse and drug related crime is not restricted to the District or some other major urban area, but rather it is a national problem, and is reaching its tentacles into the lives of urban, suburban, small town and rural Americans.

Second, I would like to emphasize this morning that the problem of drug abuse is not simply a law enforcement problem. Our current drug problem and the crime associated with it is derived from a multitude of causes and cannot be remedied with simple solutions. While law enforcement plays a critical role in our efforts to address the drug problem, arresting and locking up thousands of persons will not eliminate drug use or drug related crimes. It is our experience that the drug problem must be addressed comprehensively and within the context of other problem areas that impact our community such as inadequate housing, under-employment, and school systems not equipped to meet the needs of an urban poor population.

While we recognize the need for more police, we also see a need to improve the quality of life in those areas infested with drug traffickers and to dramatically expand drug prevention and treatment programs. Recently we defined to the Bush Administration and to Congress what will be needed to tackle the rising tide of violence and cocaine addiction that confronts us locally.

As a responsible corporate citizen of this locality, the Federal Government should be willing to contribute the extra effort and resources required to meet this problem. Specifically, we requested that emergency assistance be provided to immediately cover police

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<sup>1</sup> See p. 77.

overtime costs for the remainder of this fiscal year and for the Federal Bureau of Prisons and various States to add 2,000 additional bed spaces to make room for our increasing number of inmates. These emergency measures and comprehensive improvements would be funded through an increased Federal payment to the District totaling \$102,018,225. In addition to law-enforcement and corrections programs, the increased funding would help pay for anti-drug abuse activities including expanded drug treatment and prevention efforts.

Some of these efforts include an inpatient drug treatment unit for youth, a model drug prevention and drug counseling program to be located at various public housing sites, and the training of staff in techniques for treating crack cocaine addiction. These and other proposed drug prevention and treatment initiatives will cost about \$12 million, and are described in detail in the District's comprehensive request for increased Federal support submitted to Dr. Bennett and members of the Senate Subcommittee on District Appropriations, and we can provide a copy of that for the record.

I would like to present a couple of action items to you. First, this situation must be reversed and national priorities must be forcefully reordered if we are to have any chance at all at solving our growing national drug problem. Second, I would suggest that you build a strong anti-drug element into every Federal program, whether that program directly addresses the drug problem or not. Third, I would suggest that the Federal Government lead in building structures for facilitating cooperation among governments and between the public and private sectors.

Fourth, the Federal Government should increase its research efforts to find more effective prevention and treatment programs and share the results of that research immediately with State and local efforts. And finally, on the local scene here in Washington, DC, as the city's largest employer and largest landowner, I urge the Federal Government support of our local effort to fight the drug problem here in the Nation's Capital.

In closing I would like to thank the Committee again for the opportunity to participate in this frank and open discussion of the drug problem. I am convinced that with strong leadership from the Federal Government we as a Nation can meet and overcome the challenges of the drug problem and crime associated with it.

Senator SASSER. Thank you very much, Ms. Thompson.

Chief Fulwood, do you have a statement this morning?

Mr. FULWOOD. Yes, I do.

**TESTIMONY OF ISAAC FULWOOD, JR., ASSISTANT CHIEF OF POLICE, WASHINGTON, DC, ACCOMPANIED BY SAM D. MORRISON, DEPUTY CHIEF, DIRECTOR, OFFICE OF FINANCE AND MANAGEMENT**

Mr. FULWOOD. When you submitted the questions, we have answered them and sent them back for the record. I would like to just briefly summarize. I am very pleased to have this opportunity to appear before the Subcommittee and to discuss the issue of crime, violence and drugs. I do not think it is necessary for me to elaborate on drug arrest levels, homicide data, or other crime figures.

We all know how serious the District's crime and drug problem have become and how severe the drug abuse situation is regionally and across this Nation.

Mr. Chairman, as many of you have indicated, it is imperative that we develop a regional law enforcement mandate to address the current crisis, and to send a clear message to criminals that if you commit a crime in the Metropolitan area you will be swiftly apprehended.

I believe this to be our full law enforcement responsibility to every citizen in this jurisdiction. An important part of this plan lies in the area of law enforcement technology. The most crucial element is in the area of suspect identification and the tracking of criminal activity. As you are aware, criminals frequently travel across jurisdictional boundaries to distribute drugs and to commit other crimes. Presently, Washington, DC, Prince George's, Montgomery counties in Maryland along with Fairfax County, Virginia, have begun to develop a working system involving the print tracks, automated, fingerprint identification network and the photo-track mug shot, criminal history image storage display system.

This system will give law enforcement timely information to assist with quality investigations. Collectively we serve more than 3.5 million citizens. Although the system is currently operational it is incomplete. Many police agencies in the region are not at the same point in their development with this type of system.

There are also budgetary constraints and other constantly shifting fiscal priorities that must be addressed by many of the various jurisdictions, but I am certain that each would welcome Federal support to assist in the continued development of what I believe could become the most sophisticated and comprehensive system of this type in the Nation. As a law enforcement official, I am certainly aware of the importance of the police role of detection and arrest.

Hopefully, we will all see that this approach must be minimized through dedication and more effective use of other long-term measures. Today we have to do a better job in educating young people to understand the perils of drugs. They must internalize the message that drug abuse robs their minds and bodies of all the enormous talent and potential that so many of them possess. And as adults, we must reinforce this message by showing an intolerance for drugs ourselves.

Mr. Chairman, in all due respect to you and this Subcommittee, I hope that hearings like the one being conducted here today will give clear focus and direction to the issue of drugs and violence. For me personally, what I see on the streets of this city and across the Nation, we are indeed experiencing a crisis. Too many young people are making conscious choices to sell drugs for money and materialism while turning their backs on educational opportunities.

We must find solutions to this problem. We know that there are some very good programs that are doing a good job in addressing this drug issue in the earlier prevention, education, and treatment. But in too many of these areas we have not committed the resources.



I spoke the other day with some city youngsters from Champ Youth Entrepreneurship Program, a local activity, located in the Anacostia section of Southeast. These youths are learning and developing sound business skills which involve the manufacturing and sale of quality baked products.

They do their own advertising, marketing and public relations. More importantly, they are learning to be self-sufficient. This is the type of program that should be supported and that could be replicated in every inner city community in the nation. I might add that these youngsters earn an average salary of \$45 to \$55 for a 3-hour workday which is not bad for selling cookies.

Their slogan is, "We earn dough money, not dope money." From what I see, this is one of the best programs and techniques in the city that is offering youth a solid alternative to becoming involved with drugs and simultaneously giving them dignity and self-esteem. This type of program is part of the front end response. Unfortunately, we are not preventing enough young people from getting involved in drugs and on the corrections end we are not making certain that rehabilitation and training is occurring at a satisfactory level.

Our criminal justice system is perceived as a revolving door. Data shows that upwards of 65 percent of juvenile arrests are repeat offenders or recidivists. But more disconcerting is we have made police far too often the institution of first response rather than of last resort in addressing problems with our children. We use police to maintain order in the schools, to address problems of truancy, and more recently we have tried to use police to help keep children in their homes and not on the streets through a curfew law.

We have to elicit more church, more private sector organizations, agencies and businesses in helping us to solve the youth problem, and we have to make the growth and development of young people a priority of this nation. We have the resolve in neighborhoods and communities throughout this Nation and in the region. Collectively, we can make a real difference. We are all guilty to some degree of failure both at the Federal Government and local Government level. There is no need to point fingers or make accusations. How will we face the complex challenge of the future if we have a generation of young people crippled by drugs?

We have not begun to analyze the physical and mental health implications that are certain to occur during the years ahead. The drug problem is a problem and issue that goes beyond partisan politics or jurisdiction authority. The very future of our Nation and national security is at risk.

We are in a fight which we cannot afford to lose. Thank you very much, and I will answer any questions that you may have.

Senator SASSER. Thank you very much, Chief Fulwood. Let me address this question to you, Chief, and also to Ms. Thompson. We have heard testimony here this morning that drugs are indeed a national problem, a problem in Philadelphia, a problem in Nashville, Tennessee, but we also read in the press that drugs are a greater problem here in Washington, D.C., than anyplace in the country. That we have here in the Nation's Capital the dubious dis-



inction of being the murder capital of the country, and this is largely attributable to the drug wars.

I would ask you, Chief, how you respond to those statements, and also perhaps you would like to amplify on it, Ms. Thompson?

Mr. FULWOOD. I do not believe that the Nation's Capital is the murder capital of the world. And I certainly in large respect resent the implication because I am a resident of the District of Columbia and a native of the city. I think the city does have its problems and is struggling with how to deal with drugs and violence. But I do not think Washington, D.C., is unique. If you look at Los Angeles, California, where they have a rising increase in the murder rate, last year some 400 plus gang-related murders. If you look at Houston, Texas, where you have had the same kinds of increases in drug related violence, it is certainly a problem nationwide.

But being a native of this city and being the Field Operations Officer, one murder is one murder too many in the Nation's Capital. The fact that it is the seat of the Federal Government, I think, does focus attention on the city, and certainly we must do everything that we can to turn this situation around.

Senator SASSER. Do you wish to amplify on that, Ms. Thompson?

Ms. THOMPSON. I agree with Assistant Chief Fulwood. It has been the way the media has focused attention on the District of Columbia, and by nature of being the Nation's Capital there has been a lot of interest from around the world on this, and it has been highlighted, but we clearly, and we know statistically we are not the murder capital of the world.

Senator SASSER. Let me focus this question to both of you. There is no question but what we have a very, very serious problem here in the District of Columbia with youths using drugs, with youths selling drugs, with young people killing each other over the right to sell drugs in a certain location or these jurisdictional disputes that are settled among children, settled among children with firearms. What do you think we ought to be doing to try to alleviate this situation? What can be done to bring order and a broader question is what do you think the proximate cause of this violence and this drug culture, what is it attributable to?

Mr. FULWOOD. I think that in the earlier testimony from the previous witnesses they touched upon the problem of young people seeing drug dealers become their heroes. I think in many respects many young people in the District of Columbia see a world that is very narrow, not a world that is expanding for them, and the opportunities to share in the great American dream for many of them does not exist.

What they do is they live in substandard housing. Oftentimes the educational process does not serve them very well, and what they end up doing is getting involved in drugs. They also tend to take the point of least resistance. You do not prepare yourself to become a drug dealer. You can merely go out and say you want to be a drug dealer, and you can work for someone selling drugs and make very large sums of money.

To take the other route would mean that you have to commit yourself to getting educated, working hard at it in order to make a quality living. The problem of drugs in this city, the drug dealers are getting younger, much younger. The people who are killing

people are getting much younger. There was a point in time when you did not see murders at the level that we see in the Nation's Capital. I mean I think that is clear to everyone. And you also did not see young people, and what I would like to point out to you, coming into work one night and seeing a 15-year old kid who had murdered a person sitting in my homicide unit with no sense of remorse over the murder of another human being, it is values. It is decay of families that makes a difference.

Many of these kids grow up in one-family environments. Their parents, as indicated earlier, may be substance abusers, and often-times do not get direction and their values are out of kilter. We have got to direct our programs towards rebuilding families and rebuilding neighborhoods if we are to have any major impact on this problem. Certainly, law enforcement is the short-term solution because we have to lock up and put the bad people away.

Senator SASSER. Well, Chief, I just could not agree with you more. I think the police department is treating some of the symptoms of a much deeper and more malignant disease, and that is the destruction of the family system, the destruction of the values of the culture, and when you refer to a 15- or 16-year old boy who has just committed murder and shows no remorse for the taking of the life of a fellow human being, I think that is the most graphic example. We have got a problem of children having children, of these children growing up in households in which there is no instruction, there are no values passed on to them. It is simply the value of the jungle, survival of the fittest, and then we call upon the police department to come in and try to solve this problem which is essentially a failure of the society, a disease of the culture.

Now the question comes what is to be done. Now we read in the newspapers that the drug czar, Mr. Bennett, is contemplating instituting a program in which many of these youths are sent to what we used to call basic training. And I am an old Marine Corps veteran, and I went to basic training, and I will tell you we thought it was a fate worse than death when we were there, but I must say to you that it instilled the basic doctrine of discipline, some respect for authority, respect for yourself, and respect for your fellow human being, and instilled in many of us a sense of community, and a sense of responsibility one to the other.

Now I wish Mr. Bennett the greatest success, and I want to be of every possible assistance to him. I am asking you, Chief, and Ms. Thompson, what do you think of this concept of sending young people off to a basic training, military type of boot camp? And if that will not work, what will? What are we to do with these young people that we now find who have no training?

Mr. FULWOOD. I would certainly support the concept of sending young people to boot camps, but I would take a step further. I think that what we need to do is concentrate our effort also on identifying high risk young people that have not yet made the step over the line and send them to the boot camp so that they get some direction and a sense of value, and have contact with men who become role models for them. I certainly think that if the drug czar's programs are going to be effective that they have got to be headed toward prevention, education, and treatment.

I think there is a need to have a Federal strike force, but certainly the emphasis must be on drug prevention, education, and treatment. As I indicated in my testimony, it is programs like Champ Cookies that I think also offer great opportunities for young people because what it does is teach people to be self-sufficient, and I think many of these kids have not had a job where they have to go at a structured time, develop a sense of purpose and develop a sense of focus.

And I think that is where we have to concentrate our effort, and I certainly think it has to be on young people. So I would support any educational program that the Federal Government comes up with, but I think what we have got to do is get on the fast track. I do not think that we have time to develop real long-term programs. I think we have to do some interim things now to address this problem.

Senator SASSER. I think we have got to do some interim things now and even make some mistakes in the process.

Mr. FULWOOD. That is right.

Senator SASSER. In other words, we cannot wait to design the perfect program to deal with some of these problems. We have got to be willing to deal with the problem now, take the adverse publicity that may come if we make some mistakes along the way, but experiment to try to come up with the sort of system that will rehabilitate these young people and try to make them useful members of society rather than terrible drags on the society that may ultimately destroy it. And let me defer to my colleague, Senator Heinz. I have overrun my time.

Senator HEINZ. Mr. Chairman, not at all. And if you want to continue, if you are in the midst of a line of inquiry, I would be happy to defer to you.

Senator SASSER. No, no. Let me defer to you.

Senator HEINZ. Well, Mr. Chairman, thank you. Assistant Chief Fulwood, just to take up where the Chairman left off, one of the "interim measures" that we have are the people who care, in the communities, in the school systems, and the students themselves. One method of developing that care and concern and ability to combat the drug problem on an individual as well as a community basis is through education, principally in the school system. What, and Ms. Thompson, please feel free to answer this, what programs do exist in the schools right now? Are there any, Assistant Chief Fulwood, that the police department runs? Do you run the DARE program? And if so, how many officers are committed to helping run that program?

Mr. FULWOOD. We run several education and prevention programs that we have been running over 10 years at least. The Officer Friendly program which starts in pre-kindergarten and goes through the 12th grade, and as a part of that program, we do drug education and prevention. We believe that each young person should be exposed to some kind of program about the perils of substance abuse on you, your family, and your community.

We run the youth awareness program which is year round which is tied into the summer employment program where we keep students in drug prevention, education, treatment and community involvement 12 months out of the year. We also have started to work



on the program called Z-1000, which the Superintendent of Schools along with the Chief will be announcing fairly soon.

The idea is the take-off on the New Jersey Program; the 1,000 feet drug free zone. We are using the Federal statute for that purpose. We have identified what we believe to be the five most critical schools in the Nation's Capital. We will assign additional personnel to those schools along with DEA and the Demand Reduction Program, along with the Department of Justice Community Relations Unit and our police department's Community Relations and Youth Services Unit, working with the school system and with neighborhood organizations to reclaim their communities. We think that is the best approach. I think that we have got to start with our young people at a very early age to introduce to them the idea that substance abuse is bad and I know that earlier, Senator Sasser indicated that when he went to one of the jails in Tennessee that one of the inmates said to him he got a lesson on cigarette smoking being bad for you, but he never got a lesson on substance abuse. And it just seems to me that every program ought to have built into it prevention and education about substance abuse.

Senator HEINZ. What about my two questions? One, are there any other programs in the schools, and secondly, and this is just as important, what evaluation of those programs is being made, whether of those run by the police force or those run by the school district, and what do we know about the effectiveness of the programs?

Ms. THOMPSON. In addition to what Assistant Chief Fulwood has mentioned, all grades have as part of their curriculum drug education programs. We also have a linkage—

Senator HEINZ. Based on what model? Is there a particular model?

Ms. THOMPSON. I do not know if it is a particular model or developed within our own. I think it is developed within our own school system, but I can check on that for you.

Mr. FULWOOD. They have an Assistant Superintendent who has specific responsibility for drug prevention and education. From what I can understand, they have traveled around the country and adopted several approaches from several different school jurisdictions to develop a model, and I am not sure what the name of the model is, but we can provide it for the record.

Senator HEINZ. And the school system as well as you, I gather, are still trying to figure out what works best?

Mr. FULWOOD. That is right.

Ms. THOMPSON. Yes.

Senator HEINZ. Does anything work so far? Is there any evaluation that shows that any of the approaches are having the kinds of results that you want? Do we know that?

Mr. FULWOOD. I cannot respond to that because I am not sure.

Ms. THOMPSON. Yes. We would have to, I guess, talk with the school system. I think that you will see some minimizing and some more students putting peer pressure on other students not to use drugs, but I think it will be a longer term effect before we know how effective some of the programs are. I would like to mention a couple of other things that are going on within the Government with the schools. Our public housing program is working with the



schools and they have put in many of the public housing properties study centers where students that do not have encyclopedias, other references, materials, for them to assist them with their studies.

Also with our Department of Recreation, we have Operating Programs Assisting Youth which is a program to provide role models, mentoring with the students that need that kind of assistance, and also in our Department of Employment Services they work very closely with job training opportunities, with the school students. They work very closely in getting them involved in our summer youth employment program and Project Success, which provides every young student with a C or better average a job opportunity behind high school, job training or a job. So we have linked our programs very well.

Senator HEINZ. Those are good programs, and I noted in your testimony, although I was not here to hear it, your suggestion that every program, whether a Federal, District or State program, have a drug education component, and that is a good suggestion. Although the reason I asked the question I did about evaluation is that unless people at the local level really understand what works and what does not, it does not make any difference whether there is a component. If we do not have confidence that the effort is well-placed, it is human nature to either give up or just not start in the first place.

And one of the things that really bothers me about a lot of both Federal as well as local efforts is we never look to find out if they are working. Let me shift—

Ms. THOMPSON. Before you do that, if I may, our approach in District Government is Operation Fight Back which is 15 agencies coming together to reorder their programs and priorities to address the drug situation, and we are having regular meetings with the liaisons of those agencies so that will provide us better evaluation and refinement of our programs as we move forward.

Senator HEINZ. That has got to help.

Mr. FULWOOD. One nuance to that that I did not mention earlier is the Police Boys and Girls Club. Over the years, the Police Boys and Girls Club have been successful, as you well know, in most cities where you have police athletic leagues. I am a graduate of the Police Boys and Girls Clubs. So I can say unequivocally that it works. One of the difficulties that I think we have is in developing evaluation models that track people for a long period of time.

And I think that is one of the areas where we fall through, and one of the areas where I think the Federal Government could come to bear in helping develop long-term models for evaluating local programs.

Senator HEINZ. What I want to shift to, because we are limited in time, is the question of community involvement. One of the things we were talking about with Bob Thompson is how the community is absolutely essential to having their—what we call "Operation Defense"—mini-van program work. Having witnessed the startup of this effort in the 35th District, I was very impressed with the fact that there were people from literally every part of the community represented, particularly clergy.

Now I have heard, and maybe this is inaccurate, that here in the District it has been harder than usual to involve the clergy in anti-

drug efforts. I am not quite sure why that might be if it is accurate. But is that true?

Mr. FULWOOD. I do not know that I would classify it as being absolutely correct. I think it has been difficult to generate the kind of community support over the years, but I think that what we found now is a great intolerance for drugs and violence, and so what you find is increasingly larger number of ministers who are organizing marches, who are organizing community rallies, who are beginning to utilize their facilities for drug education and prevention and treatment programs, which I think in lies the answer.

We are finding greater participation through the Operation Fight Back Program now where we have rallies almost weekly in these communities, and we find that they really work. You mentioned earlier about the program in Philadelphia where they have the mobile van. We have been using the mobile van here for now about 5 years, where we move it around from high intensity drug areas. Mayfair, I mean Kenilworth Parkside is an area where we put the mobile van.

Senator HEINZ. This is which mobile van? Is this the one that shows up on warm Saturday nights in Georgetown?

Mr. FULWOOD. No, absolutely not.

Ms. THOMPSON. No.

Senator HEINZ. With heavily barred windows? [Laughter.]

Mr. FULWOOD. We have four vans, and what we have done is we take this van and we will station in the community for a long period of time, like Kenilworth Parkside where Kimmy Gray operates, and it has had some success in terms of generating community support and also reducing the incidence of violence and crime around the neighborhood.

Senator HEINZ. What happens out of that van? Is it essentially just an extension of police law enforcement or is there more to it than that?

Mr. FULWOOD. There is more to it than that. What we are attempting to do, and I can use Kenilworth Parkside as an example, we assign community relations officers there. We assigned other Government agencies like consumer and regulatory and fire that came along and conducted inspections. We got the National Park Service to come in and help us cut trees down. We took police reports in there, and we held a police roll call in there because the idea is to create high visibility and give the community a sense of what I term community empowerment. Because I think the greatness of solving our problems in America is us. It is individual people that get themselves worked up and generate the kind of activities in their neighborhood that improves the quality of life because that is the bottom line to it.

That is the kind of activity that occurs within that van. It is also signing up Neighborhood Watch. It is also going and knocking on every door and introducing yourself as a police officer.

Senator HEINZ. Thank you. My time has expired.

Senator SASSER. Thank you, Senator Heinz. Chief, let me ask you some policing questions here. You note, I think in your statement that there were 61,715 major crimes reported to the police department of the District of Columbia in 1988. Of these major crimes, how many were committed in your view by repeat offenders?

Mr. FULWOOD. Probably in excess of 60 percent of them.

Senator SASSER. And of those repeat offenders, how many of those would be drug related?

Mr. FULWOOD. In determining the drug related issue, last year through pre-trial services, 73 percent of all the people that were presented in court, some 15,000, were tested positive for drugs. Of the number of juveniles that went into court, 35 percent of them tested positive for some kind of substance abuse. Those are huge numbers and would give you the very clear appearance that the overwhelming number of persons that are arrested are, in fact, substance abusers, and the overwhelming numbers of persons that commit criminal offenses are involved in drugs of some kind.

As you indicated earlier, we pay for it through insurance, through other kinds of things when they commit robberies, burglaries, automobile theft, the whole nine yards.

Senator SASSER. Well, let me ask you to speculate here for a moment. If you could sweep drugs off the streets of the District of Columbia, if we could just get up tomorrow morning and wave a wand and say that the drug problem is a thing of the past, there are no drugs on the streets of Washington now, there are not any people taking drugs, what do you anticipate would happen here to the crime rate in the District of Columbia if that millennium should come to pass?

Mr. FULWOOD. I think it would be immediately reduced by probably 60 to 70 percent. And certainly the homicide rate would plunge.

Senator SASSER. It is your view that 60 to 70 percent of the crimes committed in this City are drug related, and what percent of the homicides would you say are drug related?

Mr. FULWOOD. Between 60 and 65 percent?

Senator SASSER. 60 and 65 percent of the homicides are drug related. Chief, let us talk—

Mr. FULWOOD. And the disturbing part about it is the drug related homicides, we are getting recidivists with homicide, where the person has committed more than one murder.

Senator SASSER. You mean a person commits a murder—

Mr. FULWOOD. That is right.

Senator SASSER [continuing]. That is drug related.

Mr. FULWOOD. That is right.

Senator SASSER. And he or she is apprehended by the police and then later commits another drug related murder?

Mr. FULWOOD. That is also correct, and sometimes prior to catching them, they will commit other murders.

Senator SASSER. But those that commit murders after they are apprehended, are they out on bond or have they been adjudicated, have they been put in, adjudicated guilty and then released later? How do they get back out on the streets?

Mr. FULWOOD. Prior to trial sometime, they are released back on the streets, especially in those cases where you have speedy trial rules kick in, and they are not ready to go to trial right away. And we have had some fairly noteworthy cases where the person was, in fact, arrested for murder, subsequently released sometime later, and went out and committed other murders.



Senator SASSER. Now let me ask you the same question I asked the police officials of both Philadelphia and Nashville. Are you experiencing an inflow of new criminality and new criminals into this city such as Colombian drug gangs or the Jamaican posses? Are they active here in the District of Columbia, and if so, to what extent?

Mr. FULWOOD. We have experienced over the last 2 or 3 years an increase in the number of Jamaicans that are involved in Jamaican posses in the District of Columbia that are involved in, actively involved in drug trafficking. We have not seen any large number of the Crips or the Bloods out of Los Angeles, California, although I suspect that they are probably around nearby because we have had arrests in other parts of the city. I mean other jurisdictions outside of Washington, D.C. So we have seen it.

What I think we have experienced is and why this hearing is so important is the movement of criminal activity up and down the East Coast. As an example, New York City where it is a common practice for young drug distributors to get on the bus or the trains, come down, sell \$4,000 or \$5,000 worth of crack, get back on the bus, and go home, stay 2 days.

We are experiencing an increase in the number of arrests of those kinds of persons. We do have them traveling up and down the East Coast, and they are extremely mobile. That is why it becomes important to develop good law enforcement informational systems where you share that information across the board so that you can track the criminal activity from one jurisdiction to the other.

Senator SASSER. Well, now on that subject, let me ask you about the problems that your department experiences on a daily basis from overlapping jurisdictions just here in the intra-Washington area, the District of Columbia, the police department, and how do you interact with the police departments of the other adjacent jurisdictions? Is there a communications problem? Could communications be improved? Just treat that subject for us here if you would, please.

Mr. FULWOOD. I think there is fairly good communications through COG where we have a police chief steering committee that meets monthly and discusses various kinds of issues. There is a narcotics officers program within COG where they talk on a regular basis. We have the special emphasis task force that is made up of the Federal agencies plus the Prince George's County Police. Montgomery County sends a representative. So there are programs like that that are successful and communications is generally pretty good.

We have the DEA/MPD task force that has the second largest arrest and seizure rate in the country, and that is significant when you consider that Washington is not a port city. But where we fall down, I think, is in the area of developing good police informational systems where you can share arrest data, where I would like to see all the police departments in this area sharing print tracks as an example. That is a mechanism for identifying criminals when you get fingerprints on the scene of a crime.

There can never be an assumption that these criminals do not go across jurisdictional lines. It is technology where I think can really



make the difference. The new photo mug shot program. If we can get that off the ground, get it fully funded, and get all the jurisdictions involved, we will have the ability to take a photograph of an arrested person and fax it to other jurisdictions and they may close cases based on that photograph and a criminal history record.

That is the area where I think we have not done the best job in terms of our information sharing. I think that is where we have to improve it. We talk and sometimes we might spend too much time talking and not enough time on the hard cold things like information sharing. I think that is where we really can make the difference, and technology certainly has got to come to all law enforcement in the region if we are to make a real difference.

Senator SASSER. Chief, let me get your reaction to the frequent call for additional police officers. Is there a shortage of police officers in the District of Columbia, and I might address this to Ms. Thompson, too? Do we need additional officers in the District of Columbia, and if so, how many more?

Mr. FULWOOD. I certainly think that we need more police officers. And I think in the demonstration project that the Mayor put into effect over the last 2 months by permitting us to have people on overtime clearly demonstrates that high visibility and an aggressive profile can have an impact on crime and violence in the city. I would certainly like to see us get more police officers, and I think the Chief has talked about 700. I would concur in that. I would like to see that happen right away. And I would like to see all the kinds of supports that it takes to get the 700 police officers like an early out from the military since you are a marine veteran. We would like to have a few good marines to come over here and join our police department through an early out program from the Defense Department.

Senator SASSER. If you got 700 additional police officers, what percent increase in manpower would that be? What is your present staffing?

Mr. FULWOOD. Presently we are at about 3,985. It would push us to——

Senator SASSER. So you are wanting an increase of probably between 15 and 20 percent.

Mr. FULWOOD. Yes.

Senator SASSER. If my rudimentary arithmetic is correct there.

Mr. FULWOOD. I can provide for you in exact percentages.

Senator SASSER. Right. Now what about the problem you have with officers eligible for retirement? I have heard that there may be kind of a sizable group of officers who may be nearing retirement age. Is that a fair statement?

Mr. FULWOOD. Yes, it is. From now through 1992 approximately 2,600 officers will become eligible to retire. And it is very, very difficult to replace that kind of seniority because they tend to be master patrol officers, detectives, vice investigators, technicians, and so that is going to present a major problem for us in terms of providing the kind of quality police service that we need to provide.

That is why it is important for us to get moving very rapidly on getting the 700 people hired so that before all these people go out the door, and we are losing them at an accelerated pace.

Senator SASSER. What do you say about more police officers, Ms. Thompson?

Ms. THOMPSON. Oh, I agree that there is a need for more police officers. From the management standpoint in the District it has been a question of resources, and there have been some additional police officers added through the council, and what we presented to the Senate as well as to Bennett is a request for additional resources to help us get to the 700 figure.

Senator SASSER. Now, Chief, on this whole question of exchanging information between various police jurisdictions, and having better coordination and liaison between law enforcement agencies, the District of Columbia Police Department at the present time are not tied into the National Crime Information Base; is that correct?

Mr. FULWOOD. No, that is not correct.

Senator SASSER. That is not correct.

Mr. FULWOOD. We are tied into the National Crime Information System, NCIC. Also into WALES which is the Washington Area Law Enforcement System. We put all our information in there for wanted persons and the like. So we are tied into it. That is the program run by the Federal Bureau of Investigations.

Senator SASSER. So if I have information that the D.C. Police are not tied into the National network as a hangover from the old anti-war protest days of the 1960's, I have got erroneous information on that?

Mr. FULWOOD. I would say so. I think what you may be alluding to is the fact that D.C. has an ordinance called the Duncan Ordinance that does not permit certain information as it relates to employment to be shared with other agencies, and we have certainly met with the U.S. Attorney's Office and the Federal Bureau of Investigation in order to try to work some of those things out, especially in those areas where they may be looking at persons who are going to be employed in jobs that affect national security or the White House or some Federal agency.

So excuse me. We are looking into those things. But we are tied into NCIC. If you want information on a person who is wanted for a felony murder in the District of Columbia, you can go into NCIC and get that out of there.

Senator SASSER. Chief, there have been allegations made, and I have read in the newspapers that there are areas of the District of Columbia in which the police dare not to venture on certain days or at certain times, that these areas are controlled in some cases by young Jamaicans armed with automatic weapons. Is that an accurate statement?

Mr. FULWOOD. I do not think there is an area of D.C. that a police officer is afraid to go. I think there are areas where the problem of violence is more pronounced than in other areas of the city, but certainly if you look at arrest data, and last year we arrested 43,000 people, that does not say that police officers are afraid to arrest people.

I mean we are arresting them at rate that is three times the national average, and so certainly there is no area of the city where that exists. I think that we are making, we are turning the corner on this problem of drugs and violence in the city. I do not think we have gotten there yet. I think we have got to continue to push.

When we started the Mayor's proactive program for dealing with drugs and violence, we were running about 17 percent increase in crime. Today we are running about a 4.9 percent increase in crime. So it is having some impact. Now it is not having the kind of impact that I certainly would like to see because I want to be in reduction at the end of the year, and I know that it is going to take a yeoman effort on the part of the D.C. Police Department and the D.C. Government to turn this thing around.

And we are certainly committing the resources and need Federal support, and we need it immediately.

Senator SASSER. As the Assistant Chief of the District of Columbia, if you could lay out two or three of the most important things that you think ought to be done within the next 90 days to try to stem the tide of crime in this city, what would those 3 or 4 most important things be?

Mr. FULWOOD. I think that the first thing that I would do is certainly have the Federal Bureau of Prisons to take off the D.C. Government in excess of 2,000 prisoners which would create additional space within the system so that we can clearly prioritize the persons who need to be locked up and get them up locked up and get them off the streets of Washington, D.C.

The second thing is I would certainly get the 700 police officers hired right away and to fund the 6-day work week until such time as we can get 700 policemen hired. And I will give you a fourth one, rehabilitation and drug treatment to see to it that Dr. Reed Tuckson and the commission, the health commissioner, gets the resources he needs so that when a person comes forward and says I want to go into a treatment program that they go into the treatment program the same day.

And if Bennett as a part of his plan would also create additional bed spaces through the use of surplus military installations, it would be a tremendous help to us. We need to get folks off the street who present a health problem. I mean we have not even touched on the issue of our health system and how well it functions, but it is also under a great deal of stress.

We have had over 700 shootings in the District of Columbia, 520 some victims shot that would have died if the health system did not function very well and the ambulance service, which receives a great deal of criticism, which we have not talked about, that we are going to be paying for for years to come because many of these folks do not have health insurance, and their ability to pay for it rests with you and me, the taxpayer.

So we have not talked about that rollover cost yet, but it is those kinds of things that I think have to happen if it is to make a difference. We have got to operate this Government Federal and local in a crisis mode to address the problem.

Senator SASSER. Well, Chief, Ms. Thompson, thank you very much for appearing here today. There are a lot more questions that I would like to ask, and I would like to go into it deeper, but we have got other witnesses who are waiting, and the hour is late. Thank you for your testimony. We appreciate your appearance.

Mr. FULWOOD. Thank you, Senator.

Ms. THOMPSON. Thank you.



Senator SASSER. Our next witness is Mr. Gary W. Hankins, the Chairman of the Fraternal Order of Police, Washington, D.C. Mr. Hankins has been on the Metropolitan Police Force since 1970. He served in the Traffic Division, the Public Information Office, and in 1978 he founded the labor arm of the Fraternal Order of Police, and in 1980 led the fight to remove the International Brotherhood of Police Officers as the department's bargaining agent.

Mr. Hankins is a native of Cheverly, Maryland, and he comes before us today to give us his views on the problems of drugs and policing here in the District of Columbia. Mr. Hankins.

**TESTIMONY OF GARY HANKINS, CHAIRMAN, FRATERNAL ORDER OF POLICE, WASHINGTON, DC<sup>1</sup>**

Mr. HANKINS. Thank you, sir, for the opportunity to testify. I think it has been established the people we are dealing with are not the Dickens' stereotypes. These are people who are making conscious decisions to disregard our laws for their own hedonistic pleasures. They have used their drug profits to enhance their ability to avoid police protection and delude apprehension. They are better armed, better equipped, better paid than law enforcement officers who are attempting to arrest them.

At present, drug dealers and users operate on the conviction that there is little chance that they will be apprehended for their crimes because our police force is being overwhelmed by their sheer numbers. They are correct because our Mayor and other elected officials have systematically cut back our manpower, equipment and other resources year after year while serving up rhetoric to their constituents about how tough they are on crime.

In fact, if the Congress had not intervened, the Mayor would have led the drive to reduce our ranks even further than they have been.

Attached to my testimony are three graphs which illustrate the District's experience with crime and its relationship to our resources over the last 20 years. In 1968 when we were last called the "crime Capital" we had about 43,000 reported crime index offenses. Those are the more serious ones. A presidential mandate raised our authorized strength to 5,100 sworn members. As our numbers approached that level, crime began to plummet, dropping to about 34,000 reported Part I offenses by 1973. That was the lowest point recorded throughout the 20 years that we have studied.

It is also the only instance where crime dropped below the 1968 level. Since then the crime rate has increased with periodic reprieves to the point where we anticipate about, well, more than 60,000 reported offenses this year. I believe that the periodic, temporary reductions in reported crime can be attributed to what we call the recidivist cycle, when police officers arrest criminals, they are jailed. The felons are unable to commit additional crimes. As we incarcerate large numbers of these career criminals, crime drops.

However, they are not incarcerated for long, and upon their return to the streets, many immediately begin to commit new of-

<sup>1</sup> See p. 94 for Mr. Hankins prepared statement.



fenses. We respond with new arrests and they are incarcerated again. Unfortunately, our strength has been bled away, and we are too weak to respond adequately to the continual pressures of crime. As a result, each new peak of criminal activity in the time studied is passing the previous one because we are not able to arrest and jail a large enough fraction of the criminals to turn the cycle around.

I would also ask you to note the share of the District's budget which has been allocated for the Metropolitan Police Department. I will make a correction here in my testimony. As it was submitted, I said that it was 11.2 percent in 1973. It was 11.2 percent in 1971. It fell to 6.4 percent in the last fiscal year. Now when you call 911, it takes hours for us to respond because we do not have enough police officers.

And if you live in the poorest and most drug infested neighborhoods in far Northeast and Southeast, you are at greatest risk because those neighborhoods have the fewest number of officers by far. The more affluent areas, while still undermanned, enjoy a much higher number of officers in their neighborhoods relative to their crime and drug rates.

The attached map shows the number of officers available for street duty in the seven police districts. And I would like you to note that in 6 and 7D, they have less than 200 sworn members available while the downtown areas and affluent Northwest areas have between 200 and 380 officers each. And with the exception of the 3rd District, they do not have the level of drug activity present in 6 and 7D.

Now when we arrest one of these parasites that prey on our community, they believe that the chance of prosecution is small due to our overburdened court dockets. Should they be arrested often enough that they see a real risk of trial, they can plea bargain to avoid incarceration. If they are tried and convicted, the judge will probably not give them time for their first offense to reach the bench.

Even if they should draw time due to multiple convictions, it will be minimal due to prison overcrowding, and they will most likely be eligible for some kind of early release after serving time near family and friends in nearby Lorton, Virginia.

It is this common and all too accurate perception which feeds the drug trade's success and the recruitment of more and more, younger and younger people to the side of criminality. Unfortunately, I believe that they have properly evaluated the risks of incarceration and punishment. When one assesses the profits against the perceived risks without moral judgments, which our young people are doing, it is a wonder more young men and women have not reached the conclusion that crime pays well and carries little chance of punishment.

Headlines about lack of prison space, early release programs to empty jails and arguments over the construction of new prisons cheer those who prey on our community and encourage the undecided to heed the pushers' calls to join them. It has not only encouraged criminals, it has eroded the confidence of our law abiding people in their government's ability to protect them. Many are refusing to cooperate with us as we attempt to identify and arrest the

most violent and reprehensible criminals because they share the conviction that the felons will be back in their community in a matter of hours looking for them and trying to identify those who helped us.

Our search for Craig Allen Williams last year, who was being investigated for involvement in as many as five murders and a host of other offenses was sorely hampered by the refusal of many terrorized citizens to help us apprehend him. They felt that the criminal justice system is just incapable of protecting them. Many feel the system has become an accomplice to Williams and others like him. More and more I hear honest, decent people imprisoned in their own homes by this fear voice approval of illegal and even violent tactics to be used against drug dealers and other criminals. And we have seen vigilantism increase as a result.

Senator SASSER. Vigilantism increasing in Washington?

Mr. HANKINS. Yes, sir, we have. If we looked at the Mayfair Mansions which is touted as a model of citizen involvement, we would note that the first day that the Muslims appeared on the scene there, they assaulted four people. They assaulted a teenager, unarmed, doing nothing wrong, who simply did not stop when they told him to halt so they could question him. They assaulted an addict who had an empty shotgun that he was attempting to trade for drugs. And they assaulted a news crew that happened to be on the scene and capture that assault of the drug addict.

Now that kind of activity if you place those Muslims in police uniforms would just raise a hue and cry that would still be heard. So we are seeing that occurring, and I go to community meetings. I work in these drug areas as a police officer in the evenings to stay in touch with what is going on, and the kind of suggestions we are getting from our communities about what they would like us to do to drug dealers is illegal and violent and deadly in some aspects. We believe that the only way to reclaim this is to restore order and to reestablish these values is to change the risk versus profit equation because that is what we are dealing with here.

We are not dealing with people who are operating on moral grounds. They are operating on business grounds. I think we have to return to more traditional and proven methods in dealing with those among us who steal and kill for profit. The belief that a just society which provides for the disadvantaged will address the root causes of crime and eventually eliminate it simply ignores how these people operate.

We have to take measures to remove these people from our streets swiftly and surely, and we offer several steps which we think would be helpful. First, amend the Bail Reform Act to provide that anyone who is arrested for distribution of illegal drugs or who is charged with possession of a firearm during the commission of a felony not be eligible for any pre-trial or pre-sentencing release. If we are serious about those twin threats, then we have to show the consequences will be as serious as the acts are considered.

Secondly, we want to reestablish the death penalty. It is ironic. We want to establish a death penalty for anyone who kills a police officer or kills another to further a criminal enterprise. The irony here is drug dealers have quickly evaluated and grasped the fact that the drug deals that they concoct and complete on a daily basis,

if they were prosecuted for those, the terms for those drug deals would quickly exceed life imprisonment, and the term that you get for killing someone. So drug dealers turn to killing other people because they see there is no downside to it in the District of Columbia.

You are eliminating competition. There is little chance of being caught, and if you are caught the penalty is no greater than that of the drug dealing you have been doing in the first place. We do want to increase the authorized strength of the department back to 5,100 because we have been overwhelmed, and you have heard testimony here to that effect today. We need commensurate increases in vehicles and equipment to support those services.

We think that the cost of this would not exceed the 11 percent range that the city had back in 1971 when we last increased our strength. Let me give you some examples of the problems that plague the street officer that you have not heard here today, at least here in the District of Columbia. Drug dealers listen to our uncoded radio transmissions and flee crack houses as we attempt to close in on them, or they flush the drugs and evidence before our cars even pull to a stop in that block.

We do not have the money to purchase coded radios. Our narcotics unit is a single surveillance van which is outmoded for use in today's circumstances. We have no video cameras that are RF, meaning they cannot transmit to remote location. They have to be hardwired. The need for all of our cameras to be hardwired means we cannot surveil many areas.

Our pen registers are so old, and that is a device that registers the numbers that a call is being made from or to, are so old that the company that makes them no longer exists. If they break down, we cannot repair them. Detectives throughout our department find themselves office bound and unable to follow up investigations because they do not have vehicles to go on to the streets. We do not have enough cars. Patrol officers call for helicopter backup to assist in ground searches and high speed pursuits only to hear the copter is down. This is a result of aging aircraft in need of maintenance without parts available, lack of fuel, and an insufficient number of pilots.

Now I want to get into something here where you got into an exchange with the department about the Duncan Ordinance. Suspects are misidentified, and wanted felons are going free after being arrested because our Identification and Records Division has deteriorated to the point of being unable to process fingerprints properly. We are also unable to once persons who are the subject of arrest warrants here for drug charges and even murder are not entered properly into the National Crime Information computer. And I have here at the risk of looking like I am trying to stage something, this is a file folder just kept on the Duncan Ordinance and on the lack of our ability to properly interface with the National Crime Information Database despite what you were just told.

We have information that the department itself has discovered that it has misidentified or accepted aliases and certified them in over 2,000 cases inside our own Identification and Records Division. We have people who are wanted for murder in the District of Columbia that these are the murder felony warrants. I mean I



cannot—it is still amazing to me when I go over this—you are wanted for murder in a drug case here in the District of Columbia. We do not enter that properly to the NCIC computer so that if you leave the Washington metropolitan area, and we have some cases here I could share with you and are stopped in Philadelphia or in Nashville and that officer approaches you and checks the NCIC computer, he is going to get back no warrant. Yet that felon who knows he is wanted for murder may kill a fellow officer because he has no way of knowing that officer is not informed about what is going on.

And the Duncan Ordinance, the Duncan Ordinance—I am going outside my testimony here—but the Duncan Ordinance that they say relates to employment prohibits our department from placing fingerprint and arrest information directly into the NCIC data banks at the FBI. The only way that that information gets to the NCIC computer now is through the U.S. Attorney's Office, and we have over a hundred cases where we have arrested people who were wanted in other jurisdictions from everything from murder to prison escape.

They gave an alias to our department. Our department fingerprinted them, and since the department is prohibited by the Duncan Ordinance from directly submitting those fingerprints to the FBI, we never made the connection that these were wanted people. The only people in the District of Columbia who submit fingerprints to the FBI/NCIC system are the U.S. Attorney's Office. And they only do it for people they decide to prosecute. If you are arrested, and we do not prosecute you or it is a misdemeanor offense that does not go to the U.S. Attorney's Office, that fingerprint file never goes to the Bureau.

Now the purpose of the Duncan Ordinance when it was originally passed during the Commissioner days of Government in the District of Columbia in the 1960's, the purpose as they stated at the time was to prevent people from having arrest records held against them for the rest of their lives when a person was going to be employed and the employer required that they have a records check.

In a case called Utz in 1978, the court said that because the FBI computer is available across the country to other jurisdictions, it is possible that another jurisdiction might pull the NCIC record to use as an employment verification for an employer in another state. And in 1978, we stopped submitting those records directly to the FBI. It was glossed over here, but the fact of the matter is it is not done, it is not being done today, and the U.S. Attorney's Office does it for its purposes and shares with the District of Columbia Police Department the wrap sheets that come back from the FBI, and we are going on a circuitous route to get maybe 20 or 30 percent of the people identified. The rest of them come and go.

Senator SASSER. What are you telling me, Mr. Hankins? I am not sure I understand all this. Are you telling me that serious criminals, people accused of serious criminal violations here in the District of Columbia, there is no procedure for entering them into the National Criminal Data Bank?

Mr. HANKINS. There is a procedure for that half of the equation. It is not being done adequately, and we have lots of incidences where it is not.



Senator SASSER. So because of incompetence or other reasons it is not being done adequately?

Mr. HANKINS. Correct. Now there is an obverse side under the Duncan Ordinance that has turned the District into a sanctuary. Let us say that you are a member of a Jamaican posse operating in New York, and that you come, perhaps you leave New York because they are closing in on you, and you come to Washington. And you are Mr. Sasser and you come here from New York, and you begin opening your operations up in the District of Columbia. And when you are arrested for some offense here like disorderly conduct or for any minor offense, you give the name Gary Hankins.

Well, you give me your name Gary Hankins. Your fingerprints are not on file with the District of Columbia Police Department so we have no way to check it. We say okay. You are Gary Hankins. We put your fingerprints in the file, and you are now given essentially a new identity by our own police department in the District of Columbia. From now on when we arrest you, unless you are prosecuted by the U.S. Attorney's Office and you continue to give the name Gary Hankins, we will not look in the NCIC computer under Mr. Sasser that may be outstanding against you from New York. We will have no idea that you have those.

Senator SASSER. Well, what would be the proper procedure? In other words, they would fingerprint Mr. Sasser and run his fingerprints through the National data base.

Mr. HANKINS. That happens everywhere else but it does not happen here.

Senator SASSER. Right. And they would know that I am not Gary Hankins, but I am indeed Mr. Sasser, the notorious Jamaican drug lord from New York City that everybody is looking for?

Mr. HANKINS. Yes, sir, and the FBI would send back to us what we call a wrap sheet, and it would have an FBI identification number. It might be 1234567, and say that 1234567, those fingerprints, belong to Mr. Sasser, and that Mr. Sasser has a long history of arrests and convictions in New York and in fact when we check him through the other part of the data bank and look for outstanding warrants under his proper name, now we identify him and find out that these warrants exist and can arrest him. That has been occurring in the District of Columbia routinely. We, in fact, had an officer, a detective named Bob Canjon working in our career criminal unit who began to detect this years ago, and bring it to the attention of the police department's Identification and Records Division.

And we believe he identified over a hundred different individuals who were operating under that loophole. In one case, there was a gentlemen who was escaped from, I believe, South Carolina for murder, had come to the District of Columbia and had set up a new life, and was operating here for several years before he was arrested, and after an arrest where the U.S. Attorneys decided to prosecute, then the U.S. Attorneys forwarded their fingerprints. Bingo, we now have a guy who has been out and wanted for murder operating in the District of years.

Senator SASSER. Mr. Hankins, what you are saying is important. I am not trying to cut you short, but I have got about 10 more minutes.

Mr. HANKINS. Okay. I will move on.

Senator SASSER. So let us try to hit the high points here if we can.

Mr. HANKINS. Okay. We have indeed been cut back in manpower and budget and that must be replaced as quickly as possible. I would like to point out—well, I will try and condense this, and I will let you just enter the rest of this testimony for the record. There is a way that the FOP proposes here in the District of Columbia that we should reform sentencing that we think will handle a lot of the problems discussed here today.

We believe that we should reform the sentencing to recognize the difference between violent and non-violent offenders. Violent offenders should be treated as a threat to honest citizens and incarcerated without prospect for early release or parole. They should be sentenced for long periods in order to minimize their opportunities to return to society.

However, non-violent offenders should be treated in terms not in time but rather as an assessment for damages against their community and their victims. The damages would be in two parts, real losses to the victims that they are convicted of preying upon and a punitive fine for violations against the community. The Government would compensate the victims, and we believe this would help restore some support for our prosecution because victims would see some tangible results.

And the convicted offender would then be incarcerated until he or she has worked off the total assessment, and they would not be able to pay with money. And here is where we think this is something that will be of benefit. They would be evaluated to see if they are trained in skills which are of use to the city. If so, they would be assigned to public works projects which are part of a new systematic program to make non-violent prisoners serve the community. If they are not skilled, they would be trained in crafts which are needed to operate city projects.

Once trained, they would be assigned to help rehabilitate housing, pave roads, clean streets or whatever other projects are deemed appropriate. They would be under guard while doing the work and would be returned to jail at the end of each work day under house arrest if that was appropriate. Part-time servitude for those under house arrest would also be used. Now they would be credited with an hourly wage equal to private sector craft rate that they had practiced, and when they earned enough credit, they would be released. And they would be released with a trade that could help them be productive.

And that productivity while incarcerated would help offset the cost of their incarceration. We also believe that they would serve as a proper example to the children. It would be much better for them to be seen in servitude to their community than in luxury cars and gold chains. We also ask that legislation be passed that would earmark all the property and cash seized to go back to the Metropolitan Police Department, and this touches on another area. The U.S. Code is about to be amended so that the money instead of going directly to the police departments will go to the cities or states involved.

It has been our experience in the District of Columbia that once the money gets into the coffers of the hardpressed municipal budget, it is not likely to find its way to law enforcement and we urge you to restore the provisions of the U.S. Code 21 881(e) to provide for that money going directly to law enforcement. It does not. Even here we are seeing law enforcement money being bled away.

We would ask that the Privacy Act be reviewed because we are unable to share information with other Government agencies such as the IRS, and this would be very helpful. We can see people living in public housing with tremendous assets far beyond their means, and we cannot share the information or ask the IRS for information about these people's returns in order to try to build cases against them and use that information.

In order to obtain a clone beeper, that is one which would—we all carry them—when my beeper goes off what we use as an investigative tool is to go to a beeper company and say, Mr. Sasser, our notorious Jamaican drug dealer, has a beeper. We want one just like it. And then we want to see who is beeping you, where the phone numbers are coming from.

Well in order to get that, we have to go through a full Title III coauthorization, and it becomes so laborious that it is not worth the effort to do it. So we have lost that. We hope that you would review this law with an idea toward making law enforcement better able to share information.

With regard to Rafeal Edmonds—you may have read about him—he was recently arrested here. The investigating team got a court authorization to tap his cellular phone, which is a recent innovation in technology being able to do that. When they attempted to do that, AT&T refused to allow them on the premises to hook up the equipment and stalled the investigation into at least that area for over three months, before finally saying we will put a wire outside of our facilities, and you can go outside the facility and try and hook up with the wire.

When they tried to do that, they were unable to make the system work. We believe AT&T was concerned about two levels of exposure. One was possible retaliation if drug dealers found out AT&T cooperated with us, and the other is because of Privacy Act restrictions passed over the last couple of decades, I think they are also concerned about the legal liability exposure they may have for cooperating with us.

We never were able to get it fully resolved, and in fact, that effort was abandoned. But it gives you an idea of what we are running into out here as we try to go about these investigations. I think there are other areas we could go into. I know that you are short for time. Finally, we would ask to wrap this up that the United States Government, if it is serious about the responsibility to provide the domestic tranquility—in fact, domestic tranquility appears before common defense in the preamble to our Constitution—we do not think you can solve this with a 2-year program, a 3-year program, even a 5-year program. We believe that we must establish a permanent Federal effort to assist and coordinate local law enforcement activities if we are to prevail against the wills of those among us who feel no personal obligation to honor and respect their fellow man.



The Federal Government created a Law Enforcement Assistant Administration to deal with the perceived crime crisis of the 1970's and it was very effective. It helped us in coordinating research into effective programs, anti-crime programs that sponsored new and innovative approaches, upgraded education levels of police officers, provided grants to enhance technical capabilities, and it did it over a wide range. It did what you are trying to do here in this hearing. And they did it permanently.

If the Federal Government is serious about the role in curbing drugs, then we believe that we should have a cabinet level department like Defense and Agriculture. Nothing is more basic to the responsibility of our Government than the protection of its citizens. It is time for the creation of a permanent department with adequate funding which is dedicated to restoring order and sanity to our streets. We are proud to portray ourselves to the world as a Nation of laws, not men. Then I urge you to provide the leadership and resources to assist the States in their efforts to keep our laws and our society. I know that is a great departure from thinking in previous efforts. But I submit that previous thinking and previous efforts brought us all together here today, and it is time to make a great departure. Thank you.

Senator SASSER. Thank you very much, Mr. Hankins. In your view, could the Duncan Ordinance be amended to permit giving the FBI information for certain major crimes such as homicide, grand larceny or drug dealing? And that way we would not, so to speak, stain the record of those who have minor offenses?

Mr. HANKINS. Well, the experience throughout this country is that all other major jurisdictions are doing this on a routine basis, and in fact, the FOP commissioned our attorneys to draw up legislation to amend Duncan to allow us to conform to the practices of virtually every other major jurisdiction in the country. And I think it should go beyond murder and robbery and rapes. We should also be looking at burglaries and we should be looking at arsons, and we should be looking at probably all the Part I offenses. The fact is that this system is available just about everywhere else in the country, and we do not have to reinvent the wheel here.

Senator SASSER. Let me ask you this. What is the present strength of the D.C. Police Department? The Chief or Assistant Chief indicated a moment ago, and the number escapes me.

Mr. HANKINS. It is about 3,980.

Senator SASSER. And what did you say the high water mark was in 1968? 5,100?

Mr. HANKINS. 5,100 in 1971.

Senator SASSER. All right. 1971. Now how could we be assured if we increase the size of the force that these officers would go to those precincts that are presently so significantly understaffed rather than into precincts where they are not needed as badly?

Mr. HANKINS. I am convinced after watching events here over the last 6 months and listening to the members of the, the constituents in those wards and on the other side of the Anacostia, the message has gotten across at the District Building. They are convinced that they need to send more manpower over there, but they do not have it to send right now and they are in a quandary.



I believe if the authorized strength is increased, that the bulk of that manpower will find its way to the areas that are most hard hit.

Senator SASSER. What do you think are the three most important items that we need to address ourselves to here in the short-term to try to get a handle on the drug problem of criminality here in the District of Columbia?

Mr. HANKINS. Well, in the short-term we have to deal with our failures, and that means law enforcement and law enforcement is not going to have the answer to this in the long-term. And we do have to concentrate our efforts on restoring in the minds of those people who buy and sell drugs that if you commit these criminal acts you are going to go to jail.

Senator SASSER. That means more police officers.

Mr. HANKINS. And more authority. It is not just more police officers that make us effective. For instance, until just recently in the District of Columbia, we had no anti-loitering statute. I sat on drug details, walked short beats and had to watch open air drug markets operate. It takes five police officers in the District of Columbia to make one drug bust.

If we had the authority to disperse these crowds with a disorderly conduct statute, that officer could be much more effective. So it indeed is more than just the manpower. We have to look at laws that will provide the authority and discretion for a beat officer to handle these people without being stymied by them and that is essentially what our criminal justice system has done today. It is impossible, absolutely impossible for anyone to expect any municipality to hire enough police officers to arrest street level drug dealers as the solution for drug crimes because the criminal justice system makes such a burden on us. It takes too much manpower.

We need to look at ways to provide the authority to disperse these people, keep them moving, and stop them from coalescing around neighborhoods where they can sell drugs on public space, and I think that the disorderly conduct statute is one such approach. So we need more manpower, more authority and discretion, and we have to look beyond police. We need more prosecutors and we need more judges. Otherwise we have a bottleneck.

Senator SASSER. How about more jails, more prisons?

Mr. HANKINS. Without question. We are dealing with people who have called the bluff of our society, and done it so accurately. They realize that they are not going to be arrested and incarcerated for any significant time for their activities and the rewards, the carrot, is so much greater than the little stick that we are trying to wield over their heads, that we are getting nowhere. And I grew up as a single parent family. My mother was the only one there. And I remember her—we say today this is not wise, but it worked—using the police and the courts to augment her authority over me. If you do not listen to me, I am going to call the police, and your little butt is going to go to jail, and it held me in check. And that bluff worked. But it was a bluff, but we all operated under the assumption that it was not.

Today, a single parent who tells their kid, if you do not obey me I am going to call the police, and your little butt is going to go to jail, it will get some kind of a laugh out of that little kid because

they see people getting arrested and returned to the streets so frequently they know it does not work. So it is a partnership. We have to help society with social programs, and help with the family problems, but effective law enforcement, as one previous witness said, swift and sure arrest and incarceration supports that family as they try to deal with unruly children who might become delinquents.

Senator SASSER. Well, thank you very much, Mr. Hankins, for appearing before us and for your testimony. We have had a lengthy hearing this morning. I would also include for the record the statement of Senator Dan Coats.<sup>1</sup>

We have been here now for a little over 3 hours, and these hearings have been most informative. I think they have shed some very significant light on the problem of drugs in many of our urban cities.

We focused significantly on the problem here in the District of Columbia. We have had, I think, some excellent testimony outlining the scope of the problem, and some excellent suggestions on what can be done to deal with this problem that continues to grow on a national basis. I thank all of our witnesses for participating, and I declare these hearings adjourned.

[Whereupon, at 12:05 p.m., the Subcommittee adjourned.]

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<sup>1</sup> See p. 112.

## APPENDIX

Robert F. Armstrong, Special Assistant to the Mayor  
for Drug Control

Good morning, I am honored to be part of this hearing and deeply appreciate your consideration in inviting me. On behalf of Mayor Goode and the citizens of Philadelphia, I would like to present a copy of Mayor Goode's Leadership Anti-Drug Council Report on the Philadelphia drug crisis. A strategy for community preservation for your information and use.

In regard to the questions in your letter of April 7, 1989, I submit the following:

- 1) The Escalating Problem: Five years ago, what was the nature of major crimes in your city as compared with 1988? What percentage of these crimes would you describe as drug-related? What do you see as the emerging drug-related crime in your city today?

In 1984, the number of arrests for major crimes in Philadelphia was 26,094, of which 5,203 or 20% was for violations of drug laws. In 1988, the number of arrests for major crimes was 30,073, of which 13,468 or 45% were violations of drug laws. An increase of 15% in arrests of major crimes and an increase of 25% for violations of the drug laws. A recent survey by the Wharton Forecasting Associates showed that on average, persons involved with drug use or distribution commit about 20% of all murders and rapes, 25% of all auto thefts, 40% of all robberies and assaults, and 50% of all burglaries and thefts.

I feel in Philadelphia today, that 70% of all our crimes are drug related. (Based on attached statistics)

- 2a) 1986 Drug Bill: What has been the major impact on your city of the Anti-Drug Abuse Act of 1986 which provided



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for a greater Federal role in interdiction, education, prevention and treatment, and greater enforcement? What do you view as the Act's shortcomings?

The 1986 Drug Bill provided the city with a 2.25 million dollar coordinated grant from the Pennsylvania Commission on Crime and Delinquency for six Anti-Drug Enforcement Projects. The police and district-attorney units funded with this grant were a significant factor in the increase of drug arrests and cases by 29% in 1988 as compared to 1987, and I view this as the major impact of this bill.

- 2b) 1988 Drug Bill: What has been the major impact of the Omnibus Drug Initiative Act of 1988 which provided \$1.6 billion for demand-reduction programs, such as treatment and education, and supply-reduction programs including law enforcement and eradication? What do you view to be the Act's shortcomings?

The 1988 Drug Bill provided a continuation of the projects funded in the 1986 Drug Bill. The shortcomings of these two acts were that the funding level was far short of the need. The authorized level for state and local law enforcement was \$250,000,000 million dollars nationally, but the appropriation level was less than half of that.

- 3) The State Role: What has been the Commonwealth of Pennsylvania's historical relationship and obligation to the City of Philadelphia in curbing crime and drug abuse? Have the governor and state legislature been responsive to your needs and financial concerns? Have they acted swiftly in the presence of a crisis? How would you recommend that the relationship be improved?

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The Pennsylvania Commission of Crime and Delinquency is under the governor and have been responsive to our needs and financial concerns, as has the state legislature. Generally, we receive about 29% of the states federal block of law enforcement funds. Philadelphia drug arrests are nearly 50% of all statewide drug arrests. Unfortunately, the flow of federal funds from the state to us generally occurs 12 - 15 months after the President signs the Appropriation Bill. We need to develop mechanisms in the Federal Act which guarantees a level of federal anti-drug funding equal to the crime problem at the local level, and a way to insure that the federal funds are awarded faster.

- 4) The Federal Government's Role: As indicated above, the 1986 and 1988 Federal drug bills called for a greater Federal role in interdiction, education, prevention and treatment, law enforcement, and punishment. Do you think that the federal government's past priorities were appropriate and effective in stemming drug abuse and crime? In what areas would you suggest there be a greater emphasis or reform?

The priority areas of the 1986 and 1988 Drug Bills are correct, but the level of funding provided for local government, particularly in our urban city, is inadequate. A good first step would be to appropriate the full authorized level of 250,000,000 million in the Anti-Drug Act, and to insure that local government gets its share based upon need.

PHILADELPHIA \* 4

- 5) The Police Role: In the wake of this crisis, has your department developed any new projects or programs (e.g. the DARE program in California) which are aimed at education and prevention in schools and community centers? Our department is involved with the DARE Program and it is very effective. It should be expanded. This, of course, reduces the police departments personnel for patrol and we are examining the use of officers on their day off as part time teachers and retired police personnel for this expansion.
- 6) Improved Communication: Do you believe there has been a breakdown in communication among Federal-state-local governments in dealing with this crime problem? Specifically, what recommendations would you make to improve communication, provide for a greater flow of information, and greater access to Federal authorities? I feel that the communication among federal, state, and local governments in dealing with the drug crime problem is excellent. An example of this would be Senator Heinz' Operation Defense where he took a lead role in helping us obtain funding for a community in Philadelphia to obtain a mobile mini police station. In addition, I have had the opportunity, through Mayor Goode, to meet with Dr. Bennett, Senators Heinz and Specter, Congressmen Foglietti and Gray, and Governor Casey to discuss this problem. In fact, today at 2:00 pm, we are having a meeting in Philadelphia to examine ways to try and be even more effective in communication. Taking part in this meeting will be representatives of the offices I just mentioned

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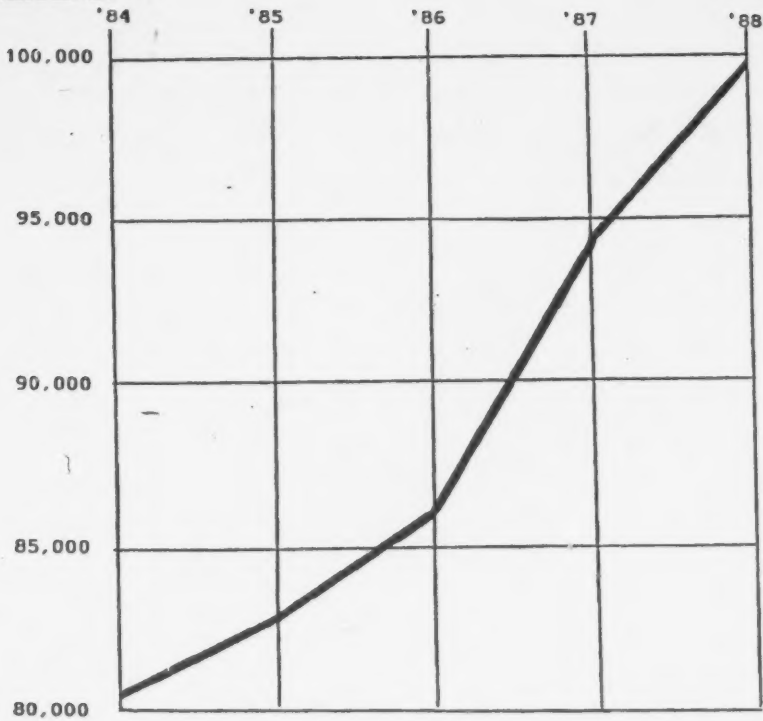
with members of the community, corporate, education, elected, law enforcement, media, treatment, religious, and youth worlds of Philadelphia.

In closing, I would like to point out to you that the relationship between the Federal Enforcement Officers assigned to Philadelphia and the city of Philadelphia is excellent and we would appreciate it if you would discourage any reduction in there funding as this also has an adverse effect on the drug war in our city.

Thank you once again for your kindness, and the opportunity to be part of this very important hearing.



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|      | MAJOR CRIMES<br>REPORTED | NARCOTICS<br>ARRESTS |              | % OF CRIMES RELATED *<br>TO NARCOTICS |
|------|--------------------------|----------------------|--------------|---------------------------------------|
|      |                          | ADULT                | JUVENILE     |                                       |
| 1984 | 82,500                   | 4671                 | 532 = 5203   | 57.750                                |
| 1985 | 83,750                   | 7072                 | 641 = 7713   | 58.625                                |
| 1986 | 86,100                   | 7825                 | 896 = 8721   | 60.270                                |
| 1987 | 94,575                   | 7987                 | 953 = 8940   | 66.202                                |
| 1988 | 99,956                   | 11652                | 1816 = 13468 | 69.969                                |

\* BASED ON A RECENT STUDY OF CORRECTIONAL FACILITIES.

FEDERAL-STATE-LOCAL COOPERATION IN THE DRUG WAR

BY

CHIEF JOE D. CASEY  
METROPOLITAN POLICE DEPARTMENT  
NASHVILLE, TENNESSEE

TO

ADDRESS TO MEMBERS OF THE SUBCOMMITTEE ON  
GENERAL SERVICES, FEDERALISM AND THE DISTRICT OF COLUMBIA

WASHINGTON, D.C.

MAY 9, 1989

10:00 A.M.

JIM SASSER  
BRUCE SINGLETON  
BILL HAWKS  
202-224-6372

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CHAIRMAN SASSER, SENATOR HEINZ AND MEMBERS OF THE SUBCOMMITTEE ON GENERAL SERVICES, FEDERALISM AND THE DISTRICT OF COLUMBIA:

I AM JOE CASEY, CHIEF OF POLICE FOR NASHVILLE, TENNESSEE AND IMMEDIATE PAST PRESIDENT OF THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE. IT IS INDEED A PLEASURE FOR ME TO BE WITH YOU THIS MORNING. ON BEHALF OF THE CITY OF NASHVILLE AND THE STATE OF TENNESSEE, I THANK YOU FOR AFFORDING ME THE OPPORTUNITY OF COMMENTING ON SEVERAL ISSUES OF IMMENSE IMPORTANCE TO THE ENTIRE LAW ENFORCEMENT COMMUNITY.

I, TOO, AM VERY ENTHUSIASTIC ABOUT THE "NEW ERA" OF FEDERAL-STATE-LOCAL COOPERATION IN THE DRUG WAR WHICH HAS BEEN SIGNALLED BY THE APPOINTMENT OF WILLIAM BENNETT AS DIRECTOR OF THE OFFICE OF NATIONAL DRUG CONTROL POLICY. GIVEN THE LIMITS OF FEDERAL JURISDICTION AND FEDERAL LAW ENFORCEMENT PERSONNEL, IT SHOULD BE CLEAR TO ALL THAT THE BRUNT OF THIS "WAR" MUST BE SHOULDERED BY

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STATE AND LOCAL GOVERNMENT. ONLY A STRONG WORKING RELATIONSHIP AND FRANK DIALOGUE LINKING FEDERAL, STATE AND LOCAL GOVERNMENTS WILL ADEQUATELY ADDRESS THE SCOURGE OF DRUGS IN OUR SOCIETY.

THE NATURE OF MAJOR CRIMES IN THE METROPOLITAN NASHVILLE AREA HAS REMAINED FAIRLY CONSISTENT OVER THE LAST FIVE YEARS WHILE THE VOLUME HAS INCREASED. WE ARE STILL SEEING BURGLARY, LARCENY, AND OTHER PROPERTY CRIMES. AT LEAST IN VOLUME, AS OUR MAJOR PROBLEM. FOR THE PAST SEVERAL YEARS WE HAVE FELT THAT THE PRIMARY MOTIVATION FOR THESE TYPES OF CRIMES RELATE TO DRUGS. THAT IS, THESE CRIMES ARE COMMITTED IN ORDER TO GENERATE REVENUE WHICH IS, IN TURN, USED TO PURCHASE DRUGS.

A PORTION OF THE INCREASE IN CRIME CAN BE ATTRIBUTED TO THE DEMOGRAPHIC CHANGES WE HAVE EXPERIENCED IN THIS AREA DURING THE PAST FEW YEARS. STILL, HOWEVER, THE MOST PLAUSIBLE EXPLANATION IS THAT THE INCREASE IN THE OVERALL CRIME RATE IS DIRECTLY AND PROPORTIONALLY TIED TO THE INCREASE IN DRUG TRAFFICKING AND AVAILABILITY.



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ANOTHER BY-PRODUCT OF THE INCREASE IN DRUG TRAFFICKING IS THE INCREASE IN UNSOLVED HOMICIDES THAT CITIES OF OUR SIZE ARE EXPERIENCING. CHIEF MAURICE TURNER, HERE IN WASHINGTON, D.C., IS CERTAINLY NOT THE ONLY CHIEF EXPERIENCING THIS PROBLEM. EMPIRICAL STATISTICAL DATA INDICATES THAT THE PROTECTION OF A PARTICULAR DRUG TERRITORY HAS ACCOUNTED FOR A MAJOR PORTION OF THESE HOMICIDES. WHILE WE DO NOT YET HAVE SUFFICIENT CONCLUSIVE STATISTICAL INFORMATION TO MAKE A DEFINITIVE STATEMENT AT THIS TIME, WE SUSPECT THAT 80% OF THE INCREASE IN PERSONAL AND PROPERTY CRIMES ARE RELATED TO DRUG ACTIVITY.

WE HAVE GATHERED SUFFICIENT INTELLIGENCE TO INDICATE THAT OUR MOST PRESSING DRUG-RELATED PROBLEMS EXIST IN THE INCREASED INFILTRATION OF DRUG DEALERS FROM THE LARGER CITIES. OUR CITY, BEING THE HUB OF THE SOUTHEAST, PROVIDES AN ATTRACTIVE MARKET FOR DISPLACED DRUG DEALERS WHO HAVE BEEN FORCED FROM THEIR TERRITORIES IN LARGER CITIES.

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WE HAVE NOT FELT A MAJOR IMPACT FROM THE FEDERAL ANTI-ABUSE ACT OF 1986 HERE IN THE NASHVILLE AREA. WHILE THIS ACT MAY FUND AND AUTHORIZE A GREATER FEDERAL INVOLVEMENT AT THE LOCAL LEVEL, WE WOULD BENEFIT ONLY FROM ANY "TRICKLE-DOWN" EFFECT WHICH MAY BE FORTHCOMING. TO DATE, WE HAVE RECEIVED LITTLE MEASURABLE BENEFIT.

WHAT WE MUST ALL REALIZE IS THAT WHILE THE WAR AGAINST DRUGS IS A NATIONAL PROBLEM, IT MUST BE FOUGHT AT THE LOCAL LEVEL. THE VARIOUS FEDERAL AGENCIES CHARGED WITH THIS RESPONSIBILITY DO A CREDIBLE JOB. BUT, FOR THE MOST PART, THEIR EFFORTS ARE DIRECTED FROM WASHINGTON. IT SHOULD BE RECOGNIZED THAT THERE IS A WEALTH OF TALENT AT THE LOCAL LAW ENFORCEMENT AGENCY LEVEL WHO, WITH PROPER FUNDING, LOGISTICAL SUPPORT, AND AUTHORIZATION, COULD WAGE THIS WAR IN THE TRENCHES WHERE THE BATTLE MUST BE WON. THIS IS WHERE THE 1986 ACT FALLS SHORT. THE ACT ARMS THE FEDERAL AGENCIES, BUT DOES LITTLE TO ARM LOCAL AGENCIES.

SINCE FEDERAL FUNDS ARE INITIALLY DERIVED FROM THE PAYCHECKS OF THE LOCAL TAXPAYERS, WHY CAN'T A PORTION OF THESE FUNDS BE

DISTRIBUTED TO THE AGENCIES HAVING DIRECT RESPONSIBILITY FOR PROTECTING THESE TAXPAYERS. WHY CAN'T THE FEDERAL ACT GIVE ENFORCEMENT AUTHORIZATION TO QUALIFYING LOCAL LAW ENFORCEMENT AGENCIES.

I REALIZE THAT THE ARGUMENT CAN BE MADE THAT LOCAL FUNDS SHOULD BE USED AND THAT LOCAL LEGISLATURES SHOULD ENACT ITS OWN LAWS. THIS, HOWEVER, IS NOT A REALISTIC ARGUMENT FOR TWO REASONS. ONE. BECAUSE THE FEDERAL TAX BURDEN IMPOSED ON THE LOCAL TAXPAYER IS SO GREAT, STATE LEGISLATURES ARE HESITANT TO ADD TO THAT BURDEN. TWO, LOCAL POLITICAL CONSIDERATIONS OFTEN ROADBLOCK THE PATH TO MEANINGFUL LEGISLATION.

CERTAIN PORTIONS OF THE 1986 DRUG BILL ARE, IN THEORY, VERY BENEFICIAL TO LOCAL AGENCIES. SECTION 1366 ALLOWS FOR FORFEITED PROPERTY TO BE TRANSFERRED TO LOCAL PARTICIPATING AGENCIES. SECTION 1401 ALLOWS "ARMED CAREER CRIMINALS" TO BE PROSECUTED IN FEDERAL COURT USING STATE CONVICTIONS AS THE UNDERLYING FELONIES. SECTION 1451 PROVIDES FOR LIMITED FUNDING OF LOCAL PROJECTS. SECTION 1868

ALLOWS FOR COOPERATIVE AGREEMENTS BETWEEN FEDERAL AND STATE AGENCIES.

IN PRACTICE, HOWEVER THE LOCAL AGENCIES RECEIVE ONLY THE ASSISTANCE THAT MANPOWER ALLOCATION ALLOWS. IT IS UNDERSTANDABLE THAT FEDERAL LAW ENFORCEMENT AGENCIES, OPERATING WITH MINIMUM MANPOWER THEMSELVES, DO NOT HAVE THE TIME TO PROVIDE THIS ASSISTANCE, PARTICULARLY SINCE THE MAJORITY OF THE FEDERAL RESOURCES ARE DIRECTED AT THE NATION'S PORT CITIES.

LOCAL AGENCIES ARE CAPABLE OF COMMANDING THEIR OWN SHIPS. WITH PROPER FUNDING AND AUTHORIZATION, LOCAL AGENCIES CAN MAKE A SIZEABLE IMPACT AT THE LOCAL LEVEL AND THEREBY FREE THE FEDERAL AGENCIES TO FOCUS ON THE NATIONAL PICTURE.

IT IS TOO EARLY TO ACCURATELY AND FAIRLY ASSESS THE IMPACT OF THE SIMILAR 1988 ACT. HOWEVER, THE SAME SHORTCOMINGS SPELLED OUT ABOVE CONCERNING THE 1986 ACT APPEAR TO BE APPLICABLE TO THE 1988 ACT.

OUR RELATIONSHIP WITH THE STATE LAW ENFORCEMENT AGENCIES HAS



BEEN, AT BEST, WEAK. BECAUSE OF THE LIMITED RESOURCES AVAILABLE TO THOSE AGENCIES AND THEIR DESIRE FOR THE MAJOR CITIES WITHIN THE STATE TO MAINTAIN AUTONOMY IN ENFORCEMENT ACTIVITIES. JOINT INVESTIGATIVE VENTURES HAVE BEEN MINIMAL.

LIKewise, WE HAVE RECEIVED LIMITED COOPERATION FROM THE STATE LAWMAKERS IN PROCURING ADDITIONAL PENAL RESOURCES. FOR THE PAST FEW YEARS, THE STATE HAS MANAGED TO SHIFT THE BURDEN OF HOUSING PRISONERS TO THE LOCAL AGENCIES. SINCE THE JAILS MAINTAINED BY THE LOCAL AGENCIES WERE NEVER DESIGNED FOR LONG-TERM HOUSING OF PRISONERS, LOCAL LAW ENFORCEMENT OFFICIALS ARE FORCED INTO THE POSITION OF MAINTAINING A SMALL PRISON WITHOUT THE FACILITIES TO DO SO. RESOURCES WHICH WERE PREVIOUSLY DEVOTED TO ENFORCEMENT ACTIVITIES MUST NOW BE DIVERTED TO THE HOUSING OF PRISONERS.

THE OVERCROWDING OF THE PRISONS, BOTH STATE AND LOCAL, HAS ALLOWED MULTIPLE OFFENDERS TO "ESCAPE" BY COURT ORDER. THIS LEAVES THESE CRIMINALS AT LIBERTY TO COMMIT ADDITIONAL CRIMINAL ACTS. SO FAR, WHETHER IT BE FOR POLITICAL CONSIDERATIONS OR OTHER REASONS,

THE STATE LAWMAKERS HAVE DEMONSTRATED A RELUCTANCE TO DEAL WITH THIS PROBLEM HEAD ON.

I FEEL THAT IF SUFFICIENT HOUSING WERE AVAILABLE AND IF SWIFT AND CERTAIN PUNISHMENT WERE THE ORDER OF THE DAY, WE COULD REDUCE THE CRIME RATE. ADDITIONALLY, WE COULD DISPLACE THOSE CRIMINALS WHO SEE OUR STATE AS AN "EASY MARK" FOR THEIR ACTIVITY.

OBVIOUSLY, THE FEDERAL GOVERNMENT, IN COMBATTING DRUG ACTIVITY, HAS BEEN FOCUSED ON THE PORT OF ENTRY STATES. THIS LEAVES THE REMAINING STATES TO FEND FOR THEMSELVES, WITH LITTLE OR NO FEDERAL ASSISTANCE. WHILE THE FEDERAL AGENCIES CONFISCATE TONS OF DRUGS AS THEY ENTER THE UNITED STATES, MORE THAN ENOUGH ESCAPE DETECTION AND MAKE THEIR WAY INTO THE DRUG TRAFFICKING NETWORK TO CREATE THE SEVERE PROBLEM WE FACE AT THE LOCAL LEVEL. FOR EXAMPLE, WE HAVE SEEN THE WHOLESALE PRICE OF COCAINE IN NASHVILLE DROP IN THE PAST TWO (2) YEARS FROM \$26,000 PER KILO TO \$16,000 PER KILO, INDICATING A PROLIFERATION ON THE SUPPLY SIDE ECONOMIES.

THE FOCUS MUST SHIFT. WE NEED MORE HELP AT THE LOCAL LEVEL.

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WE MUST CONCENTRATE ON THE USERS AND THE LOCAL SELLERS. NO MATTER HOW GREAT THE EFFECT AT THE PORT OF ENTRY, THERE WILL ALWAYS BE A SUFFICIENT SUPPLY TO CREATE PROBLEMS AT THE LOCAL LEVEL. WE NEED TO REDUCE THE DEMAND BY ATTACKING THE USER AND THE SELLER. THIS MUST BE DONE AT THE LOCAL LEVEL.

LOCAL LAW ENFORCEMENT AGENCIES DO NOT HAVE THE LUXURY OF DEVOTING THEIR ACTIVITIES TO ONE EFFORT. WE MUST FIGHT THE DRUG WAR WHILE AT THE SAME TIME MAINTAINING THE MULTITUDE OF SERVICES LOCAL AGENCIES MUST PROVIDE. AS MUCH AS RESOURCES ALLOW, THE METROPOLITAN NASHVILLE POLICE DEPARTMENT HAS INSTITUTED AS MANY DRUG-RELATED PROJECTS AND PROGRAMS AS POSSIBLE.

THE VICE CONTROL DIVISION IS CURRENTLY MANNED TO THE MAXIMUM STRENGTH RESOURCES ALLOW. WITHIN THIS DIVISION, THE MAJORITY OF THE MANPOWER IS DEVOTED TO DRUG ACTIVITY. ACTIVITIES SUCH AS GAMBLING, PROSTITUTION, ETC. ARE LOW IN PRIORITY COMPARED TO DRUGS.

WE HAVE RECENTLY INSTITUTED A "DRUG ABUSE RESISTANCE EDUCATION" PROGRAM MODELED AFTER THE SUCCESSFUL PROGRAMS IN OTHER

COMMUNITIES. THIS IS A FULL-TIME POSITION FOR THESE OFFICERS. THIS IS A JOINT EFFORT WITH THE LOCAL BOARD OF EDUCATION. INITIAL REACTION TO THIS PROGRAM HAS BEEN FAVORABLE. WE BELIEVE THAT THE LONG-TERM BENEFITS WILL JUSTIFY THE PRESENT EXPENDITURE OF MANPOWER.

WE HAVE RECENTLY INITIATED SEVERAL CRIME SUPPRESSION UNITS WITHIN OUR PATROL DIVISION. THESE UNITS ARE MANNED BY AGGRESSIVE OFFICERS WHO FOCUS PRIMARILY ON DRUG TRAFFICKING AND DRUG-RELATED CRIMINAL ACTIVITY.

WE ARE CURRENTLY INVOLVED IN A STUDY AND ASSESSMENT OF PRESENT AND POTENTIAL "STREET GANG" ACTIVITY IN OUR AREA. WE HAVE OBSERVED THE DRUG PROBLEMS CREATED BY GANG ACTIVITY IN OTHER CITIES. WE HOPE THAT BY DEVOTING MANPOWER TO THE SUPPRESSION OF GANG ACTIVITY EARLY ON, WE WILL NOT EXPERIENCE THE PROBLEMS NOW FACED BY OTHER CITIES.

IT IS MY OPINION THAT THERE HAS BEEN A BREAKDOWN IN COMMUNICATION BETWEEN THE FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT



AGENCIES. I AM NOT TRYING TO BLAME ANYONE FOR THIS. I AM JUST SAYING THAT THERE HAS BEEN A BREAKDOWN IN COMMUNICATION.

I BELIEVE THAT THE ONLY WAY THESE COMMUNICATIONS WILL IMPROVE IS BY WORKING TOGETHER MORE CLOSELY. AGAIN, WE ARE ASKING FOR HELP AT THE LOCAL LEVEL. WE NEED FUNDING, AND WE NEED TO WORK TOGETHER. THIS IS A NATIONAL PROBLEM WHICH CAN BE SOLVED ONLY THROUGH A COOPERATIVE EFFORT.

IN CLOSING SENATORS, ALLOW ME TO CAUTION YOU THAT IN CONSIDERING THE DRUG TRADE AND THE ESCALATION IN CRIME, IT IS CERTAIN YOU WILL BE DRAWN TO THE ISSUE OF FIREARMS IN OUR SOCIETY. THE LINK BETWEEN GUNS AND DRUGS IS OBVIOUS. THE RELATIONSHIP BETWEEN THE PROLIFERATION OF GUNS, AND THE RISING HOMICIDE RATE IS OBVIOUS. WE WILL HAVE TO DECIDE WHAT KIND OF SOCIETY WE WANT TO HAVE.

THE IACP HAS LONG SUPPORTED A FIREARMS PURCHASER SCREENING PROGRAM WHICH WOULD INCLUDE A NATIONAL WAITING PERIOD AND BACKGROUND CHECK FOR ALL PROSPECTIVE PURCHASERS OF HANDGUNS. WE

ARE IN FULL SUPPORT OF THE CONGRESS AS YOU CONSIDER THE REGULATION OF ASSUALT WEAPONS. WE KNOW THAT THERE ARE EXTREME DIFFERENCES IN OPINION CONCERNING THESE GUNS. WE HOPE THAT BOTH HOUSES OF CONGRESS WILL HAVE A FULL AIRING OF THE RELEVANT ISSUES AND THAT A COMPROMISE CAN BE REACHED WHICH WILL SERVE THE NEEDS OF ALL THE PEOPLE. THE PUBLIC IS LOOKING TO YOU FOR GUIDANCE. THE PUBLIC IS TIRED OF SENSELESS VIOLENCE.

THANK YOU AGAIN FOR ALLOWING ME TO COME BEFORE THIS SUBCOMMITTEE. I WILL BE HAPPY TO RESPOND TO ANY QUESTIONS.

F

BILL HONER, MAYOR

## METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



METROPOLITAN POLICE DEPARTMENT  
METROPOLITAN JUSTICE CENTER  
100 JAMES S. DODD AVENUE PARKWAY  
NASHVILLE, TENNESSEE 37203

April 28, 1989

The Honorable Jim Sasser  
United States Senate  
Washington, D. C. 20510

ATT: Mr. Bruce Singleton

Dear Sir:

As per our telephone conversation, enclosed  
are my answers to questions of your April 6 letter  
regarding the Subcommittee hearing May 9.

I look forward to seeing you Tuesday, May 9.

Respectfully,

Joe D. Casey  
CHIEF OF POLICE

JDC:aj

ENCLOSURE

## SASSER CRIME REPORT

1. The nature of major crimes in the Metropolitan Nashville area has remained fairly consistent over the last five years. We are still seeing burglary, larceny, and other property crimes, at least in volume, as our major problem. For the past several years we have felt that the primary motivation for these types of crimes relate to drugs. That is, these crimes are committed in order to generate revenue which is, in turn, used to purchase drugs.

A portion of the increase in crime can be attributed to the demographic changes we have experienced in this area during the past few years. Still, however, the most plausible explanation is that the increase in the overall crime rate is directly and proportionally tied to the increase in drug trafficking and availability.

Another by-product of the increase in drug trafficking is the increase in unsolved homicides that cities of our size are experiencing. Empirical statistical data indicates that the protection of a particular drug territory has accounted for a major portion of these homicides. While we do not yet have sufficient conclusive statistical information to make a definitive statement at this time, we suspect that 80% of the increase in personal and property crimes are related to drug activity.

We have gathered sufficient intelligence to indicate that our most pressing drug related problems exist in the increased infiltration of drug dealers from the larger cities. Our city, being the hub of the southeast, provides an attractive market for displaced drug dealers who have been forced from their territories in larger cities.

- 2a. We have not felt a major impact from the Federal Anti-Abuse Act of 1986 here in the Nashville area. While this Act may fund and authorize a greater Federal involvement, at the local level we would benefit only from any "trickle-down" effect which may be forthcoming. To date, we have received little measurable benefit.

What we must all realize is that while the war against drugs is a national problem, it must be fought at the local level. The various Federal agencies charged with this responsibility do a credible job, but for the most part their effort are directed from Washington. It should be recognized that there is a wealth of talent at the local law enforcement agency level who, with proper funding, logistical support, and authorization, could wage this war in the trenches where the battle must be won. This is where the 1986 Act falls short. The Act arms the Federal agencies, but does little to arm local agencies.



Since Federal funds are initially derived from the paychecks of the local taxpayers, why can't a portion of these funds be distributed to the agencies having direct responsibility for protecting these taxpayers. Why can't the Federal Act give enforcement authorization to qualifying local law enforcement agencies.

I realize that the argument can be made that local funds should be used and that local legislatures should enact its own laws. This, however, is not a realistic argument for two reasons. One, because the Federal tax burden imposed on the local taxpayer is so great, State legislatures are hesitant to add to that burden. Two, local political considerations often roadblock the path to meaningful legislation.

Certain portions of this Act are, in theory, very beneficial to local agencies. Section 1366 allows for forfeited property to be transferred to local participating agencies. Section 1401 allows "Armed Career Criminals" to be prosecuted in Federal Court using State convictions as the underlying felonies. Section 1451 provides for limited funding of local projects. Section 1868 allows for cooperative agreements between Federal and State agencies.

In practice, however, the local agencies receive only the assistance that manpower allocation allows. It is understandable that Federal law enforcement agencies operating with minimum manpower themselves, do not have the time to provide this assistance, particularly since the majority of the Federal resources are directed at the nation's port cities.

Local agencies are capable of commanding their own ships. With proper funding and authorization, local agencies can make a sizable impact at the local level and thereby free the Federal agencies to focus on the national picture.

2b. It is too early to accurately and fairly assess the impact of the Similar 1988 Act. However, the same shortcomings spelled out above concerning the 1986 Act appear to be applicable to the 1988 Act.

3. Our relationship with the State law enforcement agencies has been, at best, weak. Because of the limited resources available to those agencies and their desire for the major cities within the State to maintain autonomy in enforcement activities, joint investigative ventures have been minimal.

Likewise, we have received limited cooperation from the State lawmakers in procuring additional penal resources. For the past few years the State has managed to shift the burden of housing prisoners to the local agencies. Since the jails maintained by the local agencies were never designed for long-term housing of prisoners, local law enforcement officials are forced into the position of maintaining a small prison without the facilities to do so. Resources which were previously devoted to enforcement activities must now be diverted to the housing of prisoners.

The overcrowding of the prisons, both state and local, has allowed multiple offenders to "escape" by court order. This leaves these criminal at liberty to commit additional criminal acts. So far, whether it be for political considerations or other reasons, the State lawmakers have demonstrated a reluctance to deal with this problem head on.

I feel that if sufficient housing were available and if swift and certain punishment were the order of the day, we could reduce the crime rate. Additionally, we could displace those criminals who see out State as an "easy mark" for their activity.

4. Obviously, the Federal government in combating drug activity has been focused on the port of entry states. This leaves the remaining states to fend for themselves, with little or no Federal assistance. While the Federal agencies confiscates tons of drugs as they enter the United States, more than enough escape detection and make their way into the drug trafficking network to create the severe problem we face at the local level. For example, we have seen the wholesale price of cocaine in Nashville drop in the past 2 years from \$26,000 per kilo to \$16,000 per kilo, indicating a proliferation on the supply side economies.

The focus must shift. We need more help at the local level. We must concentrate on the users and the local sellers. No matter how great the effect at the port of entry, there will always be a sufficient supply to create problems at the local level. We need to reduce the demand by attacking the user and the seller. This must be done at the local level.

5. Local law enforcement agencies do not have the luxury of devoting their activities to one effort. We must fight the drug war while at the same time maintaining the multitude of services local agencies must provide. As much as resources allow, the Metropolitan Nashville Police Department has instituted as many drug related projects and programs as possible.

The Vice Control Division is currently manned to the maximum strength resources allow. Within this Division the majority of the manpower is devoted to drug activity. Activities such as gambling, prostitution, etc., are low in priority compared to drugs.

We have recently instituted a "Drug Abuse Resistance Education" program modeled after the Successful programs in other communities. This is a full-time position for these officers. This is a joint effort with the local Board of Education. Initial reaction to this program has been favorable. We believe that the long-term benefits will justify the present expenditure of manpower.

We have recently initiated several Crime Suppression Units within our Patrol Division. These units are manned by aggressive officers who focus primarily on drug trafficking and drug related criminal activity.

We are currently involved in a study and assessment of present and potential "Street Gang" activity in our area. We have observed the drug problems created by gang activity in other cities. We hope that by devoting manpower to the suppression of gang activity early on we will not experience the problems now faced by other cities.

6. It is my opinion that there has been a breakdown in communication between the Federal, State, and local law enforcement agencies. I am not trying to blame anyone for this. I am just saying that there has been a breakdown in communication.

I believe that the only way these communications will improve is by working together more closely. Again, we are asking for help at the local level. We need funding and we need to work together. This is a national problem which can be solved only through a cooperative effort.

TESTIMONY ON  
FEDERAL-STATE-LOCAL SOLUTIONS TO CRIME  
AND DRUG ABUSE  
BEFORE THE  
SUBCOMMITTEE ON GENERAL SERVICE, FEDERALISM AND  
THE DISTRICT OF COLUMBIA  
SENATE COMMITTEE ON GOVERNMENT AFFAIRS

CAROL B. THOMPSON  
CITY ADMINISTRATOR

DISTRICT OF COLUMBIA

MAY 9, 1989

9:30 A.M.



GOOD MORNING MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE. I APPRECIATE YOUR HOLDING A HEARING ON THE IMPORTANT SUBJECT OF INTERGOVERNMENTAL COOPERATION IN FIGHTING THE DRUG PROBLEM. THE PROBLEM OF DRUG ABUSE IS THE MOST CRITICAL DOMESTIC PROBLEM FACING THIS COUNTRY AND THE ISSUE OF INTERGOVERNMENTAL COOPERATION IS VITAL TO OUR BEING ABLE TO IMPLEMENT EFFECTIVE STRATEGIES FOR COMBATTING IT.

THIS MORNING I WOULD LIKE TO EMPHASIZE TWO MAIN POINTS AND THEN RECOMMEND A NUMBER OF ACTIONS.

THE FIRST POINT I WOULD LIKE TO EMPHASIZE IS THAT THE PROBLEM OF DRUG ABUSE IS NOT LIMITED TO ANY CITY, REGION OR STATE.

IT IS TRUE THAT THE PROBLEM IS MOST DRAMATICALLY REVEALED IN LARGE URBAN AREAS. THE REASONS FOR THIS IS NOT HARD TO FATHOM. RESEARCH SHOWS THAT PERSONS WHO HAVE LOW SELF-ESTEEM AND/OR SEE LITTLE HOPE IN THEIR LIVES ARE AT GREATEST RISK FOR DRUG EXPERIMENTATION, USE AND ADDICTION. URBAN AREAS, AS TRADITIONAL MELTING POTS FOR PERSONS IMMIGRATING FROM OTHER AREAS LOOKING FOR NEW OPPORTUNITIES, OFTEN HAVE CONCENTRATIONS OF PERSONS WITH LESS SKILLS AND EDUCATIONAL BACKGROUNDS. OVER THE YEARS SOME PERSONS GET TRAPPED IN THESE CONCENTRATIONS, AND POCKETS OF POVERTY DEVELOP THAT BECOME BREEDING GROUNDS FOR HOPELESSNESS AND DESPAIR. THESE AREAS BECOME READY AND LUCRATIVE MARKETS FOR ILLICIT SUBSTANCES THAT PROMISE AND DELIVER TEMPORARY ESCAPE. AS A RESULT, URBAN AREAS USUALLY HAVE VERY VISIBLE DRUG ABUSE.

PROBLEMS AND THE ADDED PROBLEMS OF VIOLENCE AND CRIME THAT USUALLY ACCOMPANY THEM.

THIS YEAR, THE DISTRICT OF COLUMBIA HAS BECOME A FOCUS OF THE NATIONAL MEDIA BECAUSE OF OUR DRUG PROBLEMS, SPECIFICALLY BECAUSE OF THE WARFARE AMONG DRUG DEALERS HERE THAT HAS PRODUCED AN UNUSUALLY HIGH HOMICIDE RATE. WITH THE INTRODUCTION OF CRACK COCAINE, WHICH IS A HIGHLY ADDICTIVE SUBSTANCE AND WHICH CAN BE MARKETED IN SMALL, RELATIVELY LOW COST QUANTITIES, THE MARKET FOR DRUGS HAS ACCELERATED IN THE DISTRICT. THIS DEVELOPMENT HAS CREATED OPPORTUNITIES FOR HUGE PROFITS IN SELLING DRUGS, AND THIS IN TURN HAS STIMULATED A TREMENDOUS ENTREPRENEURIAL ACTIVITY BY WOULD BE DRUG DEALERS. AS A RESULT, WE HAVE EXPERIENCED AN UNPRECEDENTED LEVEL OF VIOLENCE AMONG PERSONS WHO HAVE WARRED OVER TERRITORIES, PAYMENTS, LOYALTIES AND PROFITS IN THE DRUG TRADE. THIS WAR HAS OFTEN BEEN FOUGHT WITH AUTOMATIC GUNS, AND THE RESULT HAS BEEN A SOARING HOMICIDE RATE AMONG PERSONS INVOLVED WITH DRUGS.

WHILE THIS WARFARE AMONG DRUG DEALERS IS EXTREMELY DISTRESSING, THE ATTENTION THAT HAS BEEN FOCUSED ON THE DISTRICT WOULD IMPLY THAT THE DISTRICT IS UNIQUE IN THE DRUG PROBLEM AND HAS BECOME THE CRIME CAPITAL OF THE COUNTRY. THIS IS SIMPLY NOT SO! AS THE RECENTLY RELEASED STATISTICS BY THE FBI CLEARLY DEMONSTRATE, THERE ARE 15 OTHER MAJOR CITIES WITH MORE SERIOUS CRIME RATES THAN OURS AND THESE CITIES ARE ALL ACROSS THE COUNTRY. MOREOVER,

AND VERY RELEVANT TO THIS COMMITTEE'S CONCERN, THE FBI REPORT SHOWS THAT CRIME HAS RISEN SIGNIFICANTLY IN SMALL AND MEDIUM CITIES. IN OTHER WORDS, THE PROBLEM IS SPREADING NOTICEABLY TO VIRTUALLY ALL AREAS OF OUR COUNTRY AND IN ALL STATES. IT IS VITAL THAT WE RECOGNIZE THIS IF WE AS A NATION AND YOU AS CONGRESS ARE NOT TO BURY OUR HEADS IN THE SAND AND PRETEND THAT THE PROBLEM IS RESTRICTED TO THE DISTRICT OR SOME OTHER MAJOR URBAN AREA. IT IS A NATIONAL PROBLEM AND IS REACHING ITS TENTACLES MORE AND MORE INTO THE LIVES OF URBAN, SUBURBAN, SMALL TOWN AND RURAL AMERICA.

SECOND, I WOULD LIKE TO EMPHASIZE THIS MORNING THAT THE PROBLEM OF DRUG ABUSE IS NOT SIMPLY A LAW ENFORCEMENT PROBLEM.

OUR CURRENT DRUG PROBLEM AND THE CRIME ASSOCIATED WITH IT IS DERIVED FROM A MULTITUDE OF CAUSES AND CANNOT BE REMEDIED WITH SIMPLE SOLUTIONS. WHILE LAW ENFORCEMENT PLAYS A CRITICAL ROLE IN OUR EFFORTS TO ADDRESS THE DRUG PROBLEM, ARRESTING AND LOCKING UP THOUSANDS OF PERSONS WILL NOT ELIMINATE DRUG USE OR DRUG RELATED CRIMES.

IN THE DISTRICT, WE HAVE ARRESTED MORE THAN 35,000 PERSONS IN THE LAST THREE YEARS FOR SPECIFIC DRUG OFFENSES, WHICH IS THE HIGHEST PER CAPITA ARREST RATE FOR DRUG CRIMES IN THE NATION. WE HAVE FILLED OUR JAILS AND PRISONS WITH DRUG OFFENDERS, AND ARE NOW FILLING THE JAILS AND PRISONS OF OTHER STATES WITH OUR INMATES. IN SPITE OF THESE ENFORCEMENT EFFORTS, ILLICIT DRUG USE

REMAINS HIGH IN OUR CITY AND THE CRIME ASSOCIATED WITH IT CONTINUES TO RISE. UNFORTUNATELY, THIS SCENARIO IS BEING REPEATED IN OTHER JURISDICTIONS ACROSS THIS NATION.

IT IS OUR EXPERIENCE THAT THE DRUG PROBLEM MUST BE ADDRESSED COMPREHENSIVELY AND WITHIN THE CONTEXT OF OTHER PROBLEM AREAS THAT IMPACT OUR COMMUNITIES SUCH AS INADEQUATE HOUSING, UNDER-EMPLOYMENT, AND SCHOOL SYSTEMS NOT EQUIPED TO MEET THE NEEDS OF AN URBAN POOR POPULATION. WHILE WE RECOGNIZE THE NEED FOR MORE POLICE, WE ALSO SEE A NEED TO IMPROVE THE QUALITY OF LIFE IN THOSE AREAS INFESTED WITH DRUG TRAFFICKERS, AND TO DRAMATICALLY EXPAND DRUG PREVENTION AND TREATMENT PROGRAMS.

TO BE MORE SPECIFIC, I WOULD LIKE TO MAKE SEVERAL RECOMMENDATIONS THIS MORNING FOR ACTIONS THAT THE FEDERAL GOVERNMENT SHOULD UNDERTAKE TO PROVIDE GREATER COOPERATION AND SUPPORT.

FIRST, I WOULD LIKE TO CALL FOR STRONG AND COURAGEOUS NATIONAL LEADERSHIP BY THE FEDERAL GOVERNMENT THAT WILL BE WILLING TO GET THE AMERICAN PUBLIC'S ATTENTION, INFORM IT ON WHAT THE DRUG PROBLEM REALLY IS, AND LEAD IN RECRUITING THE ENORMOUS RESOURCES THAT MUST BE DEVOTED TO MEETING THIS CRITICAL CHALLENGE. WE NEED LEADERSHIP THAT, FIRST OF ALL, WILL AVOID FINGERPOINTING, IMPLYING THAT DRUG ABUSE IS THE RESULT OF THE FAILURE OF LOCAL POLITICAL LEADERSHIP OR THE RESULT OF OUR SCHOOL SYSTEMS OR THE RESULT OF PERMISSIVE PARENTS OR WHATEVER. THE CAUSES OF DRUG



ABUSE ARE MYRIAD, SOME PERSONAL, SOME SOCIETAL AND SOME ECONOMIC. WE SERVE THE AMERICAN PUBLIC BEST BY STRICTLY AVOIDING SCAPEGOATING AND CONCENTRATING OUR AND THEIR ATTENTION ON WHAT MUST BE DONE TO SOLVE THIS PROBLEM.

WE, ALSO, NEED LEADERSHIP THAT STOPS IMPLYING THAT THE DRUG PROBLEM IS PRIMARILY A MATTER OF TOUGHER LAW ENFORCEMENT. THAT APPROACH HAS BEEN TRIED OVER AND OVER AGAIN AND IT SHOULD BE CLEAR TO ANYONE WHO EXAMINES THE EVIDENCE THAT GETTING TOUGHER ON DRUG USERS AND SELLERS IS NOT NEARLY ENOUGH. ADDICTED PERSONS ARE NOT DETERRED BY LAW ENFORCEMENT, AND HUGE PROFITS INVOLVED ASSURES AN OVERWHELMING SUPPLY OF REPLACEMENTS FOR THOSE SELLERS CONVICTED AND SENT TO PRISON. THE ONLY ANSWERS ARE EFFECTIVE PREVENTION AND TREATMENT, AND, UNFORTUNATELY, THOSE ARE INEXACT AND LONG RANGE SOLUTIONS THAT REQUIRE PATIENCE AND LONG TERM COMMITMENTS. WE NEED LEADERSHIP THAT WILL CONVINCE THE AMERICAN PUBLIC OF THE NEED FOR THESE APPROACHES AND WILL LEAD IN MAKING THEM A REALITY.

BESIDES DEVELOPING AND SUPPORTING COURAGEOUS NATIONAL LEADERSHIP, THERE ARE A NUMBER OF SPECIFIC ACTIONS THAT THE FEDERAL GOVERNMENT SHOULD UNDERTAKE. FIRST, FEDERAL ANTI-DRUG PROGRAMS MUST BE EXPANDED AND FUNDED AT SUBSTANTIALLY HIGHER LEVELS. THE DRUG PROBLEM IS THE COUNTRY'S MOST SERIOUS DOMESTIC PROBLEM. IT THREATENS LOCAL GOVERNMENT'S CAPACITY TO GOVERN AS IT ABSORBS EVER GREATER RESOURCES. WE IN THE DISTRICT HAVE

SHIFTED MORE AND MORE RESOURCES INTO THE FIGHT AGAINST DRUGS, USING VIRTUALLY ALL NEW REVENUES AND MOVING RESOURCES FROM PUBLIC WORKS, CONSUMER AND REGULATORY AFFAIRS, AND OTHER VITAL AREAS INTO PUBLIC SAFETY, TREATMENT AND EDUCATION. THESE ARE PAINFUL DECISIONS AND THE FUTURE APPEARS TO HOLD MORE OF THE SAME.

SINCE THE DRUG PROBLEM IS CLEARLY A NATIONAL PROBLEM, THE FEDERAL GOVERNMENT MUST ASSUME ITS PROPORTIONATE SHARE OF THE BURDENS BEYOND SYMBOLIC OR TOKEN AMOUNTS. I MUST BE HONEST AND STATE FOR THE RECORD THAT WE IN LOCAL GOVERNMENTS HAVE BEEN DEEPLY DISAPPOINTED AND SADDENED BY SHIFTING NATIONAL PRIORITIES, AS WE HAVE ATTEMPTED TO COPE WITH THE PROBLEMS OF DRUGS AND POVERTY. BECAUSE OF THE DEFICIT, CONGRESS HAS HAD TO APPROVE NUMEROUS DOMESTIC PROGRAM REDUCTIONS. DEFENSE SPENDING HAS MORE THAN DOUBLED AND THE DEFICIT HAS MORE THAN TRIPLED IN THIS DECADE. TODAY, THE FEDERAL GOVERNMENT SPENDS SEVEN TIMES AS MUCH ON INTEREST ON THE FEDERAL DEBT AS IT DOES ON ITS ENTIRE EDUCATION BUDGET. MEANWHILE THE NATIONAL LEAGUE OF CITIES ADVISES US THAT FEDERAL EXPENDITURES FOR PROGRAMS THAT ADDRESS THE CAUSES OF THE DESPAIR AND HOPELESSNESS THAT ARE AT THE ROOT OF THE DRUG PROBLEM, SUCH AS HOUSING, JOBS, TRANSPORTATION, ECONOMIC AND COMMUNITY DEVELOPMENT, HAVE DECLINED BY 72 PERCENT DURING THE SAME DECADE.

THIS SITUATION MUST BE REVERSED AND PRIORITIES MUST BE FORCEFULLY REORDERED IF WE ARE TO HAVE ANY CHANCE AT ALL AT SOLVING OUR GROWING DRUG PROBLEM. TOKEN EFFORTS WILL NOT DO THE JOB. WE ARE TALKING ABOUT SERIOUS COMMITMENTS. WE IN LOCAL GOVERNMENTS HAVE MADE THOSE COMMITMENTS. IN THE DISTRICT, FOR EXAMPLE, WE HAVE 20 PERCENT OF THE REGION'S POPULATION, YET WE DISPERSE 75 PERCENT OF THE REGION'S EXPENDITURES ON HOMELESSNESS, PUBLIC HOUSING, JOB TRAINING AND OTHER SOCIAL SERVICES. WE PROVIDE TWO-THIRDS OF THE REGION'S FUNDING FOR DRUG TREATMENT. NO CITY OR STATE SPENDS MORE PER CAPITAL THAN WE DO FOR JOB AND HOUSING ASSISTANCE. WE HAVE MADE OUR COMMITMENTS; WE HAVE RAISED OUR REVENUES TO MEET THE NEW PROBLEMS AND WE ARE LOOKING TO THE FEDERAL GOVERNMENT TO DO THE SAME.

SECOND, I WOULD SUGGEST THAT YOU BUILD A STRONG ANTI-DRUG ELEMENT INTO EVERY FEDERAL PROGRAM WHETHER THAT PROGRAM DIRECTLY ADDRESSES THE DRUG PROBLEM OR NOT. WE NEED TO SENSITIZE ALL AMERICANS AND SECTORS OF OUR SOCIETY THAT THE DRUG FIGHT IS EVERYONES FIGHT AND THE FEDERAL GOVERNMENT SHOULD TAKE A LEAD IN GETTING THAT MESSAGE ACROSS.

THIRD, I WOULD SUGGEST THAT THE FEDERAL GOVERNMENT LEAD IN BUILDING STRUCTURES FOR FACILITATING COOPERATION AMONG GOVERNMENTS AND BETWEEN THE PUBLIC AND PRIVATE SECTORS. MAYOR BARRY RECENTLY RECOMMENDED TO THE PRESIDENT THAT HE, THE PRESIDENT, PERIODICALLY MEET WITH MAYORS TO ASSESS THE DRUG

PROBLEM FROM THEIR PERSPECTIVE AND TO SHARE HIS WITH THEM. WE NEED STRUCTURES PUT INTO PLACE THAT WILL FACILITATE THIS TYPE OF FREQUENT CONSULTATION BETWEEN FEDERAL AND LOCAL/STATE LEADERS. MOREOVER, THE FEDERAL GOVERNMENT IS UNIQUELY IN THE POSITION TO RECRUIT NATIONAL PRIVATE SUPPORT IN THE FIGHT AGAINST DRUGS, SPECIFICALLY NATIONAL BUSINESS, SPORTS, EDUCATIONAL, ENTERTAINMENT AND OTHER INDUSTRIES. ONGOING STRUCTURES SHOULD BE PUT INTO PLACE TO RECRUIT HIGH LEVEL PRIVATE SUPPORT AND TO MAKE THAT SUPPORT AVAILABLE TO LOCAL AND REGIONAL PROGRAMS.

FOURTH, THE FEDERAL GOVERNMENT SHOULD INCREASE ITS RESEARCH EFFORTS TO FIND MORE EFFECTIVE PREVENTION AND TREATMENT PROGRAMS AND SHARE THE RESULTS OF THAT RESEARCH IMMEDIATELY WITH STATE AND LOCAL EFFORTS. NO ONE AT THIS POINT HAS ALL OF THE ANSWERS TO THE VARIOUS ASPECTS OF THE DRUG PROBLEM. YET WE DESPERATELY NEED TO FIND THOSE ANSWERS AND TO IMPLEMENT MORE EFFECTIVE STRATEGIES AND PROGRAMS. THE FEDERAL GOVERNMENT'S UNIQUELY CENTRAL ROLE IN SEARCHING FOR THOSE ANSWERS IS CLEAR.

FINALLY, ON THE LOCAL SCENE HERE IN WASHINGTON, D.C., AS THE CITY'S LARGEST EMPLOYER AND LARGEST LANDOWNER, I URGE THE FEDERAL GOVERNMENT'S SUPPORT OF OUR LOCAL EFFORT TO FIGHT THE DRUG PROBLEM HERE IN THE NATION'S CAPITAL. RECENTLY WE DEFINED TO THE ADMINISTRATION AND TO CONGRESS WHAT WILL BE NEEDED TO TACKLE THE RISING TIDE OF VIOLENCE AND COCAINE ADDICTION THAT WE ARE LOCALLY CONFRONTED. AS A RESPONSIBLE CORPORATE CITIZEN OF THIS



LOCALITY, THE FEDERAL GOVERNMENT SHOULD BE WILLING TO CONTRIBUTE THE EXTRA EFFORT AND RESOURCES REQUIRED TO MEET THIS PROBLEM.

IN CLOSING, I WOULD LIKE TO THANK THE COMMITTEE, AGAIN, FOR THE OPPORTUNITY TO PARTICIPATE IN THIS FRANK AND OPEN DISCUSSION OF THE DRUG PROBLEM, PARTICULARLY OF THE NEED FOR GREATER INTERGOVERNMENTAL SUPPORT AND COOPERATION. OFTEN WHEN WE LOOK CLOSELY AT THE PROBLEM OF DRUG ABUSE, WE CAN EASILY GET DISCOURAGED BY ITS PERVASIVENESS, ITS SEEMINGLY INTRACTABILITY AND THE WASTE IN LIVES AND RESOURCES THAT IT IS INCREASINGLY EXACTING. BUT THERE IS CONSIDERABLE CAUSE FOR HOPE, AS WELL. AS PEOPLE BECOME AWARE OF THE PROBLEM, I FIND THAT MORE AND MORE GROUPS ARE EXPRESSING A WILLINGNESS TO SUPPORT GOVERNMENT IN SOLVING THIS PROBLEM. WHAT THEY WANT IS LEADERSHIP IN EXPLAINING THE PROBLEM AND WHAT THEY MUST DO TO HELP. BASED ON THIS EXPERIENCE, I AM CONVINCED THAT WITH STRONG LEADERSHIP FROM THE FEDERAL GOVERNMENT, WE AS A COUNTRY CAN MEET AND OVERCOME THE CHALLENGES OF THE DRUG PROBLEM.

**RESPONSES TO WRITTEN QUESTIONS BY ASSISTANT CHIEF FULWOOD**

1) The Escalation Problem: Five years ago, what was the nature of major crimes in your city as compared with 1988? What percentage of these crimes would you describe as drug-related? What do you see as the emerging drug-related crime in your city today?

**RESPONSE:**

A comparison of major crimes (Part I crimes) reported for the years 1984 through 1988 reflects an overall increase of fifteen percent as shown in the table below:

| Part I<br>Crimes<br>Reported | Calendar Year |        |        |        |        | Percent<br>Change<br>1984-1988 |
|------------------------------|---------------|--------|--------|--------|--------|--------------------------------|
|                              | 1984          | 1985   | 1986   | 1987   | 1988   |                                |
| Homicide*                    | 175           | 148    | 194    | 225    | 369    | + 111%                         |
| Rape                         | 366           | 337    | 328    | 245    | 165    | - 55%                          |
| Robbery                      | 6,087         | 5,230  | 4,719  | 4,462  | 5,689  | - 7%                           |
| Assault                      | 4,097         | 4,457  | 4,181  | 5,084  | 5,690  | + 39%                          |
| Burglary                     | 10,954        | 10,004 | 10,814 | 11,241 | 12,295 | + 12%                          |
| Larcny/Theft                 | 27,471        | 24,873 | 25,818 | 24,965 | 28,582 | + 4%                           |
| Auto Theft                   | 4,374         | 5,024  | 6,105  | 6,297  | 8,633  | + 97%                          |
| Arson                        | 333           | 294    | 272    | 280    | 292    | - 12%                          |
| Total                        | 53,857        | 50,367 | 52,431 | 52,799 | 61,715 | + 15%                          |
| Percentage<br>Difference:    |               | - 6.5% | + 4.1% | + 0.7% | + 17%  |                                |

\* - As defined in the Uniform Crime Reporting Program deaths caused by negligence, suicide, or accident; justifiable homicides; and attempts to murder or assaults to murder, which are scored as aggravated assaults. Three homicides are excluded from CY 1988 totals due to the above definition.

Prior to 1986, the city experienced a five-year trend in which reported Part I offenses decreased. However, in 1986 Part I offenses increased by four percent (4%) over 1985. Whereas statistics linking these crimes to drugs are not available, it is generally understood that these types of crimes are often motivated by drug abuse, and consequently are directly caused by the drug element. Most notable, was the increase in violence in 1988, which is reflected by 369 homicides. Of which, 225 (61%) were found to be drug-related.

Results from the District of Columbia Pretrial Services Agency drug testing program (initiated in 1984) show an escalation of drug use among adult offenders. Arrestees (adults and juveniles) are tested for heroin, PCP, cocaine, amphetamines and methadone. Statistically, of the 15,734 adult defendants tested in 1988, 73% tested positive for some form of illicit drug use.

The drug screening program for juveniles began in 1987. During that year test results show that of the 4,182 juveniles tested, 35% were under the influence of some form of illicit narcotic at the time of arrest; in 1988, 30% of the 4,558 tested positive.

The emerging drug-related crimes in the city today are homicides, assaults and the sale and possession of drugs.

2.) 1986 Drug Bill: What has been the major impact on your city of the Anti-Drug Abuse Act of 1986 which provided for a greater Federal role in interdiction, education, prevention and treatment, and greater enforcement? What do you view as the Act's shortcomings?

RESPONSE:

The city received approximately \$800,000 under the Anti-Drug Abuse Act of 1986. The program emphasis was on greater enforcement. Money was used to implement the asset forfeiture unit to seize assets of drug violators. Homes, automobiles, bank accounts, jewelry and other personal property was targeted for confiscation under this program.

Under the 1986 Anti-Drug Abuse Act, funding for drug control activity has been insufficient and there has been confusion in not knowing how to balance these activities with existing federal budget constraints. The federal government needs to fund justice assistance programs and to be in a position to be full partners with state and local governments.

Additionally, the Anti-Drug Abuse Act of 1986 required the GAO to report periodically on the effectiveness of international narcotic control assistance. Much of the criticism of the Anti-Drug Abuse Act of 1986 involves the inability to sustain the anti-drug movement and preventing it from decreasing in visibility.

One of the problems is that we have not been able to identify specific models of success in the areas of prevention and education that can be effectively replicated. When we look for the indicators of operational effectiveness, they often appear to be of a smaller scale.

2b.) 1988 Drug Bill: What has been the major impact of the Omnibus Drug Initiative Act of 1988 which provided \$1.6 billion for demand-reduction programs, such as treatment and education, and supply-reduction programs including law enforcement and eradication? What do you view to be the Act's shortcomings?

RESPONSE:

The 1988 Drug Bill was more comprehensive. It established the Federal government's Office of National Drug Control Policy which was much needed to better coordinate the nation's drug prevention, education, treatment and enforcement efforts. However, due to fiscal constraints and other national economic issues enough resources have not yet been

made available.

3.) The Regional Role: What has been the historical relationship between the District of Columbia and neighboring states (Virginia and Maryland) and local governments in curbing crime and drug abuse? Have these states and local governments been responsive to your needs? Have they acted swiftly in the presence of a crisis? How would you recommend that the relationship be improved?

RESPONSE:

The relationship between the D.C. Metropolitan Police Department and the neighboring states of Virginia and Maryland has historically been a receptive one. Relationships between the various local and federal law enforcement agencies have improved over the years. These regional law enforcement efforts have increasingly become better coordinated. Through the mutual exchange of information, law enforcement techniques and technology, have contributed to the department's long standing rapport throughout the entire Metropolitan area. On many occasions the department has engaged in ongoing cooperative efforts to curb crime and drug abuse. For example, the Chief of Police is a participant in the Council of Governments, Police Planners Subcommittee and the Police Chiefs Committee. Organizations such as these are designed to bring together local law enforcement leaders to discuss strategies for combatting emerging crime problems.

Perhaps one of the department's more highly recognized cooperative efforts would be those achieved through the department's Repeat Offender Program (ROP), Morals and Intelligence Divisions. These units have consistently maintained close communications with the following law enforcement jurisdictions: Prince Georges County, Montgomery County, Alexandria, Fairfax, and Arlington Police Departments. Federal agencies such as the FBI, Alcohol Tobacco and Firearms, Immigration Naturalization Service, and Naval Intelligence have also become a part of the regional communications network.

The department's recent arrest and eradication of the Rayful Edmonds drug organization could not have been achieved without the combined expertise and planning of the Prince Georges County Police, FBI, DEA, ATF and other agencies that assisted in this effort. Special departmental task forces (MPD/DEA, Special Emphasis, Narcotics Task Force etc.) and projects like the Regional Arrest Information Network (RAIN) make it possible for each participating regional law enforcement agency to exchange useful law enforcement ideas and technology on a continual basis.

Responsiveness and cooperation, from our neighboring police departments and law enforcement agencies, have been good. These local governments have shown considerable willingness to act swiftly in the times of a crisis. The only improvement in this present relationship could be to further expand our drug enforcement efforts to minimize the



displacement of drug trafficking from one boundary line to another.

4.) The Federal Government's Role: As indicated above, the 1986 and 1988 Federal drug bills called for a greater Federal role in interdiction, education, prevention and treatment, law enforcement, and punishment. Do you think that the Federal government's past priorities were appropriate and effective in stemming drug abuse and crime? In what areas would you suggest there be a greater emphasis or reform?

RESPONSE:

Past Federal efforts to stem drug abuse and crime have been in varying degrees, generally appropriate and effective in combatting drug abuse and related crimes. Specifically, through the 1986 Drug Bill \$340,014 was made available to the District of Columbia Metropolitan Police Department to provide state-of-the-art computer analysis capabilities for the following purposes:

- a) providing monetary and technical assistance, (through the Bureau of Justice Statistics, in the amount of \$170,793) to redesign the Department's F.B.I. Uniform Crime Reporting Program;
- b) assisting MPD management personnel in developing short and long-term strategies to combat illegal drug activities in the District of Columbia; and
- c) supplying hardware, software and necessary training to initiate a Local Area Network computer system for the Department's Morals Division, both through grant funds provided to the Office of Criminal Justice Plans and Analysis, (OCJPA).

Additionally, \$94,010, funded through OCJPA, was utilized to establish the Department's Financial Investigations Unit (FIU). FIU's purpose is to seize assets of persons involved in or connected with the sale and distribution of illegal drugs. Furthermore, the FIU's performance capabilities were enhanced by an additional \$26,874 provided through OCJPA which provided clerical staff and computer training to FIU sworn personnel.

Proposed uses of the 1988 Drug Bill funds include:

- a) \$50,000 to train MPD Youth Division police officers in innovative prevention and education services and strategies;
- b) \$50,000 to support the Department's Morals Division, Financial Investigation Unit (FIU) law enforcement efforts;
- c) \$50,000 to implement an improved crime analysis system through a process called Phototrack;

- d) \$50,000 to pay court overtime for police officers detailed to the Lorton Correctional Facility Complex to interdict the flow of drugs coming in; and
- e) \$248,189 to provide narcotics enforcement efforts in public housing projects.

The total proposed grant request from the 1988 Drug Bill is \$598,189.

It is our opinion that current federal resources could be best utilized by focusing them upon the interdiction of major drug traffickers at international distribution centers, on the nation's waterways and at our borders. Additionally, we believe that the administration of enforcement policies and the application of appropriate strategies at the local level can best be effectuated through the efforts of local law enforcement authorities.

5.) The Police Role: In the wake of this crisis, has your department developed any new projects or programs (e.g. the DARE program in California) which are aimed at education and prevention in schools and community centers?

In recent years the Metropolitan Police Department has developed many programs that have been geared toward education and prevention in schools and community centers. Traditional programs such as Officer Friendly which focus on instilling crime-prevention values in youth, and Neighborhood Watch which is certainly one of the more important concepts of community policing, are today more important than ever. We have also recognized value clarification and development of provided through programs such as; Police Boys and Girls Clubs which utilizes athletic, cultural and education activities to reach inner-city youth and redirect and cultivate their interest and experience towards a more positive life choices; Crime Stoppers whose slogan is "Stop Crime By Not Committing Crime" has introduced primary school youth to a group-supported, well-structured program that provides them with values and alternatives to committing crimes; youth entrepreneurship programs, such as the CHAMP Chocolate Chip Cookie model, which exposes young people to a strong work ethics, business development and management.

Many noteworthy community relations programs such as the Officer Friendly, Youth Awareness and the Drug Awareness Programs have developed into very credible crime-prevention activities that are geared specifically toward reducing participation in crime among our city youth. The communities feedback from these programs has continued to be very positive. Many applaud the department's efforts in providing youth with effective alternatives which decreases their involvement in crime and drugs.

Relative to the adult population, the department has been instrumental in attending regularly scheduled neighborhood and civic association meetings to discuss pressing crime problems that afflict the entire community. The Community Services Officer continues to provide

assistance to residents on ways in which they can reduce their chances of being victimized. Seminars and workshops on burglary and auto theft prevention are scheduled to disseminate up-to-date information to citizens. Most importantly, these police community sessions have been an invaluable means for the department to interact with the community to discuss and encourage participation in programs such as the Neighborhood Watch police and citizens together (PACT) Auto Identification Crime Solvers, Tipsters, Fingerprint Identification as well as many others innovative activities that were designed to reduce specific types of crime.

The epidemic of drug and violence in our city has prompted the City Council to legislate "drug-free zones" around the city schools. In execution of this law, the Metropolitan Police Department (MPDC), in conjunction with the D.C. Public Schools (DCPS), developed ("Z-1000") a new model drug prevention program. This model program, "Z-1000" is a pro-active approach to creating zero tolerance for drugs in and around all public schools. The emphasis of the "Z-1000" plan is to educate parents and students, identify high risk youths and divert them to the department's Early Intervention Program.

Through the effort of the MPDC and the DCPS, a 1000 foot drug-free zone is established, officially posted and enforced around every public school building in the District of Columbia. One of the aspects of this program will be to provide all school administrators, teachers, students and security personnel; local religious groups; social and business organizations with drug recognition training.

Five (5) schools have been selected as prototypes in this initiative. The factors used in the selection of these schools include: 1) the number of homicides in the area; 2) the number of open-air drug markets around the school; 3) arrests in the vicinity of the school; 4) crime in the surrounding area; and 5) the frequency of calls for service in the area. The Youth Division will be responsible for all data collection associated with the program. Also, the Career Criminal Unit will be monitoring the arrests and court (federal and local) intakes of all narcotic violators made within 1000 feet of D.C. Public Schools.

6.) Improved Communication: Do you believe there has been a breakdown in communication among Federal-state-local governments in dealing with this crime problem? Specifically, what recommendations would you make to improve communication, provide for a greater flow of information, and greater access to Federal authorities?

No, there has not been a breakdown in communication among the Federal, state, and local governments in dealing with the crime problem.

However, to date, communication, information sharing and mutually accessibility have been most effective at the lower levels of law enforcement. Establishing regular meetings, to specifically deal with drug-related problems, coordinate information sharing meetings, to establish an efficient and effective process for conducting joint discussions of special or emergency concerns among mid-level managers of both governmental jurisdictions.



TESTIMONY OF GARY HANKINS, CHAIRMAN  
FRATERNAL ORDER OF POLICE -METROPOLITAN POLICE  
LABOR COMMITTEE  
BEFORE THE  
SENATE GOVERNMENTAL AFFAIRS SUBCOMMITTEE ON  
GENERAL SERVICES, FEDERALISM AND THE DISTRICT OF COLUMBIA  
MAY 9, 1989

The streets of Washington are now the scene of unequalled violence. The number of murders long ago passed all previous records and continues to rise on an almost daily basis. In addition to the hundreds who have been killed, more than 1,200 were wounded by gunfire alone last year. The risk to innocent bystanders from stray gunfire grows greater each day. Crimes against persons and property are now higher than in 1968 when we were dubbed the "Crime Capitol" of the nation. The rate of crime is increasing and if unchecked will set new records next year. In fact, due to the District's declining population we have fewer residents who will be the targets of over 60,000 serious crimes next year, that's up nearly 20,000 reported offenses over 1968.

The Dickens stereotype of hungry orphans who are forced by an uncaring society into a life of crime in order to eat, simply does not apply to modern day Washington. This year the District will spend more than one billion tax dollars on Human Support and Services. This city has long championed the cause of the poor and the disadvantaged.

The men and women who are participating in the drug fueled crime and violence which is besetting our streets are not stealing, selling drugs and killing in order to feed starving stomachs. They are reaping huge profits to buy luxury cars,

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expensive jewelry and other non-essential consumer goods. These are individuals who have made a conscious decision to disregard our laws for their own hedonistic pleasures.

They have used their drug profits to enhance their ability to avoid police detection and elude apprehension. They are better armed, better equipped and better paid than the law enforcement officers who are attempting to arrest them.

At present drug dealers and users operate on the conviction that there is little chance they will be apprehended for their crimes because our police force is being overwhelmed by their sheer numbers. They are correct because our Mayor and other elected officials have systematically cut back our manpower, equipment and other resources year after year while serving up rhetoric to their constituents about how tough they are on crime. In fact, if Congress had not intervened the Mayor would have led the drive to reduce our ranks even further than they have been.

Attached are three graphs which illustrate the District's experience with crime and its' relationship to our resources over the last twenty years. In 1968 when we were called the Crime Capitol we had 43,635 reported Crime Index Offenses. A presidential mandate raised our authorized strength to 5,100 sworn members. As our numbers approached that level crime began to plummet, dropping to about 34,000 reported part one offenses by 1973. That was the lowest point recorded throughout the twenty years studied. It is also the only instance where crime

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dropped below the 1968 level. Since then, the crime rate has increased, with periodic reprieves, to the point where we anticipate about 60,000 reported offenses this year.

I believe the periodic, temporary reductions in reported crime can be attributed to what I call the recidivist cycle. When police officers arrest criminals and they are jailed, the felons are unable to commit additional crimes. As we incarcerate large numbers of these career criminals, crime drops. They are not incarcerated for long and upon their return to the streets many immediately commit new crimes. We respond with new arrests and they are incarcerated again.

Unfortunately, our strength has been bled away and we are too weak to respond adequately to the continuing pressure of crime. As a result each new peak of criminal activity is passing the previous one because we are not able to arrest and jail a large enough fraction of the criminals to turn this cycle around.

I also ask that you note the share of the District's budget which has been allocated for the Metropolitan Police Department. It was 11.2% in 1973 and fell to 6.4% for the last fiscal year.

When you call 911 and it takes hours for us to respond because we don't have enough police. If you live in the poorest and most drug infested neighborhoods of far N.E. and S.E. you are at greatest risk because those neighborhoods have the fewest number of officers by far. The more affluent areas, while still

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undermanned, enjoy a much higher number of officers in their neighborhoods, relative to their crime and drug rates.

The attached map shows the number of officers available for street duty in the seven police districts. Please note that 6D and 7D have less than two hundred sworn members available while the downtown areas and affluent N.W. have between two hundred and three hundred and eighty officers each. And with the exception of the Third District, they do not have the level of drug activity present in the 6th & 7th Districts.

When we arrest one of the parasites that prey on our community, they believe the chance of prosecution is small due to overburdened court dockets. Should they be arrested often enough to see a real risk of trial they can plea-bargain to avoid incarceration. If they are tried and convicted, the judge will probably not give them time for their first offense to reach the bench, even if they should draw time due to multiple convictions, it will be minimal due to prison overcrowding and they will most likely be eligible for some kind of early release after serving time near family and friends in nearby Lorton, Virginia.

It is this common and all too accurate perception which feeds the drug trade's success in the recruitment of more people to the side of criminality, especially our young.

Unfortunately, I believe the criminals have properly evaluated the risks of incarceration and punishment. When one assesses the profits against the perceived risk, without moral



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judgments, it is a wonder more young men and women have not reached the conclusion that crime pays well and carries little chance of punishment.

Headlines about lack of prison space, early release programs to empty jails and arguments over the construction of new prisons cheer those who prey on our community and encourage the undecided to heed the pushers' calls to join them.

It has not only encouraged criminals, it has eroded the confidence of law abiding people in their government's ability to protect them. Many are refusing to cooperate with us as we attempt to identify and arrest the most violent and reprehensible criminals because they share the conviction that the felons will be back in the community in a matter of hours, looking for those who helped identify them. Our search for Craig Allen Williams, who is being investigated for involvement in as many as five murders and a host of other offenses, was sorely hampered by the refusal of many terrorized citizens to help us apprehend him. They feel the criminal justice system is incapable of protecting them. Many feel the system has become an accomplice to Williams and others like him.

More and more I hear honest, decent people, imprisoned in their own homes by fear, voice approval of illegal and violent tactics against drug dealers and other criminals.

The only way to reclaim our streets and our youth; to restore order and re-establish value for human life; to protect our honest citizens and bring peace of mind back to the

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community is to change the risk vs. profit equation that is driving this criminal revolution, while providing education for prevention and treatment for those who want it. We must act with conviction and be prepared to discipline ourselves to do the difficult.

I believe that we must return to more traditional, and proven methods in dealing with those among us who steal and kill for profit. The belief that a just society which provides for its disadvantaged will address the root causes of crime and eventually eliminate it, ignores those who are driven by greed.

We must take measures to remove these people from our streets, swiftly and surely. The FOP offers several steps which I am convinced are absolutely necessary if we are to win this war.

First, amend the Bail Reform Act to provide that anyone arrested for distribution of illegal drugs or who is charged with the possession of a firearm during the commission of any felony, not be eligible for pre-trial or pre-sentencing release. If we are serious about these twin threats, then the consequences for these acts must be swift and severe.

Second, re-establish the death penalty for those who kill a police officer; or who kill anyone in order to further a criminal enterprise. The current laws actually encourage murder for profit, especially in the drug trade, because the penalty for taking a human life is no more severe than those for the string of felonies committed by these people on a daily basis.

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As a result, there is no "down side" for killing anyone who interferes with their criminal activities.

Third, increase the authorized strength of the Metropolitan Police Department to 5,100 sworn members. We have indeed been overwhelmed by the volume of criminal activity on the streets. We need a thousand more officers to effectively confront those who have swollen the criminal ranks in our city.

We will need commensurate increases in vehicles, equipment and support services to field this reinforced effort to regain our streets for the law abiding men and women of this community. The cost for this should not exceed the previous experiences at that level, which was about an 11% share of the city's budget.

Let me give you some examples of the problems plaguing us as a result of years of underfunding. Drug dealers listen to our uncoded radio transmissions and flee crackhouses as we attempt to close in on them, or flush drugs and evidence before our cars pull to a stop in their blocks. Our Narcotics unit has a single surveillance van which is outmoded for use into today's circumstances. We have no rf video cameras. The need for all of our cameras to be hardwired to recorders precludes many covert operations. Our pen registers are so old that the company which made them no longer exists.

Detectives throughout the department often find themselves office bound and unable to follow up investigations because there are not enough vehicles.

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Patrol officers call for helicopter backup to assist in ground searches and high speed pursuits only to hear that the copter is down. This is the result of aging aircraft in need of maintenance without parts available, lack of fuel and an insufficient number of pilots.

Suspects are misidentified and wanted felons go free after being arrested because our Identification & Records Division has deteriorated to the point of being unable to process fingerprints properly.

Persons who are the subject of arrest warrants for drug charges and even murder are not entered into the National Crime Information Computer. Once they leave the metropolitan area they are free from identification and arrest. In essence, the District has become a sanctuary for drug dealers and felons who are wanted in other states because our city does not share its arrest and identification information with the FBI. We are the only large jurisdiction that does not cooperate with this highly effective branch of the FBI.

Even if we were able to purchase modern equipment, the manpower requirements needed to satisfy contemporary court standards for burden of proof are daunting. The recently announced arrest of Mr. Rafeal Edmonds was the result of more than two years of work.

In its initial stages it required 5 officers full time. In the last 7 months of the investigation that was increased to 10



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full time investigators and in the last two months it required nearly two dozen full time people.

Our department lacked the technical facilities to monitor cellular telephone transmissions but the Federal government was able to provide them. There was a bizarre complication when Bell Atlantic refused to cooperate. When investigators obtained court authorization to place the monitoring equipment on the telephone companies lines, they refused to allow police access to the building where the connections needed to be made. They fought the law enforcement agencies involved in this investigation for three months before they agreed to place a line outside the building for the connection. The line provided proved useless.

Fourth, increase in the number of U.S. Attorneys and Judges to prosecute and adjudicate the arrested in a swift fashion.

Fifth, provide for a three-fold increase in the present prison capacity. The additional space should be built in a location remote from the District in order to isolate the most violent and hardened offenders. We should investigate the possibility of negotiating with states that contain remote areas to contract with them to build and supervise prisons for violent D.C. offenders. The space at Lorton and the District should be reserved for non-violent criminals.

Sixth, we should reform the sentencing system to recognize the difference between violent offenders and non-violent convicts. Violent offenders should be treated as a threat to

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honest citizens and incarcerated without prospect for early release or parole. They should be sentenced for long periods in order to minimize their opportunities to prey on our society.

Non-violent offenders should not be sentenced in terms of time, but rather as an assessment for damages against the community and their victims. The damages would be in two parts; real losses to the victims they are convicted of preying upon, and a punitive fine for violations against the community. The government would compensate the victims for their losses. The convicted offender would then be incarcerated until he or she has worked off the total assessment. They would not be able to pay with money.

They would be evaluated to see if they are trained in skills which are of use to the city. If so, they should be assigned to public works projects which are part of a new systematic program to make non-violent prisoners serve the community. If they are not skilled, they should be trained in crafts which are needed in city operated projects. Once trained, they would be assigned to help rehabilitate housing, pave roads, clean streets or whatever other projects are deemed appropriate. They would be under guard while doing this work and would be returned to jail at the end of each workday or to house arrest if appropriate. Part-time servitude for those under house arrest could be done on an evening and weekend basis to allow them to continue to support themselves.

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They should be credited with an hourly wage equal to the private sector craft rates. This credit would be applied to the damages they have been assessed. When they have "earned" enough credit they would be released.

This would provide them with a trade and make them productive while incarcerated. Their productivity could help to offset the cost of their imprisonment. Additionally, they would serve as a proper example to our children. It would be much better for them to be seen in servitude to the community than in luxury cars and gold chains.

Seventh, pass legislation that will earmark all cash and property seized from drug dealers for the exclusive use of the police department in funding drug fighting units. We sorely need additional equipment, buy money and manpower in these areas. We also need to protect the MPD from a mayor who redirects those funds to the city's general fund.

These are immediate goals for the local problems. There is a separate universe of problems and solutions for the regional and national crises that face us.

The Privacy Act hinders our investigations beyond the reasonable concerns of law abiding citizens. We are unable to share information with other government agencies, such as the IRS, in order to develop leads on suspects, much less private industry. In order to obtain a "clone" beeper a Title III court authorization must be obtained. The beeper is merely an

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investigative tool. As a result, few investigators bother to apply for the authorizations.

Due to a loophole in the Assets Forfeitures provisions of Federal law, we are being forced to return nearly 2,000,000 dollars worth of jewelry in a local case involving a Mr. Raymon Garcia. It seems jewelry is not specifically included in the law and we must return it. U.S. Code 21 881 (6) should be amended to include "other things of value" in order to permit law enforcement to seize anything which is used to facilitate the sale or exchange of items for narcotic controlled substances.

Effective this October, the U.S. Code (21 USC 881(e) item B) will provide that assets seized in joint operations with local jurisdictions will no longer be earmarked for the local law enforcement agencies. This means the local share will go to the general revenues of the local authority. It is our experience that the local leaders will use those moneys for areas unrelated to law enforcement. We believe this law should be restored to its original intent to provide sorely needed funds for law enforcement.

While I have given a few brief examples of specific need here today, I sincerely believe that the answers to our problems in fighting this war on drugs cannot come from the approach we have seen recently. I was asked to comment on the impact of the 1986 Drug bill and the 1988 Drug bill. The fact that we are



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seeing bi-annual legislation identifies a significant part of the problem.

The responsibility to provide for domestic tranquillity is one of the most basic charges of Federal and local governments. The current crime crisis cannot be solved with a two-year, three-year or even five-year commitment. Crime is one of the oldest problems to plague human society. It has always been with us and will continue to dog us as long as man controls his own affairs. We must establish a permanent Federal effort to assist and coordinate local law enforcement activities.

The Federal government created the Law Enforcement Assistance Administration to deal with a perceived crime crisis in the 70's. The LEAA was very effective in coordinating research into effective anti-crime programs, sponsoring new and innovative efforts, upgrading the education levels of police officers and providing grants to enhance the technical capabilities of local departments.

If the Federal government is serious about its role in curbing drugs, crime and violence, it must give domestic defense of our people the same priority that it has given Defense, Agriculture and other cabinet level departments. Nothing is more basic to the responsibility of our government than the protection of its citizens, it is time for the creation of a permanent department with adequate funding which is dedicated to restoring order and sanity to our streets. We are proud to portray ourselves to the world as a nation of laws, not men. I

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urge you to provide the leadership and resources to assist the states in their efforts to keep our laws and our society.

I know this is a great departure from previous thinking and efforts, but I submit that previous thinking and efforts have brought us all here today.

Thank you.



## FRATERNAL ORDER OF POLICE METROPOLITAN POLICE - LABOR COMMITTEE

512 - 5TH STREET, N.W., WASHINGTON, D.C. 20001 (202) 628-0600

### REPORTED PART 1 CRIME INDEX STATISTICS FOR WASHINGTON, D.C. 1968 THRU 1988

Part 1 Crime Index Offenses include; Homicide, Rape, Robbery, Aggravated Assault, Burglary, Larceny, Auto Theft and Arson. These offenses are the standard created by the FBI to measure reported criminal activity.

| YEAR | REPORTED OFFENSES |
|------|-------------------|
| 1968 | 43,635            |
| 1969 | 54,307            |
| 1970 | 66,746            |
| 1971 | 54,269            |
| 1972 | 44,685            |
| 1973 | 34,314            |
| 1974 | 52,508            |
| 1975 | 56,888            |
| 1976 | 52,304            |
| 1977 | 49,789            |
| 1978 | 49,964            |
| 1979 | 54,671            |
| 1980 | 61,413            |
| 1981 | 66,762            |
| 1982 | 67,846            |
| 1983 | 59,303            |
| 1984 | 55,381            |
| 1985 | 49,959            |
| 1986 | 53,137            |
| 1987 | 52,092            |
| 1988 | *60,000+          |

\*1988 is a calendar year projection based on the current trends.



# FRATERNAL ORDER OF POLICE METROPOLITAN POLICE - LABOR COMMITTEE

512 - 5TH STREET, N.W., WASHINGTON, D.C. 20001 (202) 628-0600

## METROPOLITAN POLICE DEPARTMENT'S SHARE OF THE DISTRICT BUDGET BY FISCAL YEAR

| FISCAL YEAR | BUDGET SHARE |
|-------------|--------------|
| 1968        | 9.3%         |
| 1969        | 9.5%         |
| 1970        | 11.2%        |
| 1971        | 11.2%        |
| 1972        | 10.4%        |
| 1973        | 10.6%        |
| 1974        | 9.6%         |
| 1975        | 10.3%        |
| 1976        | 8.7%         |
| 1977        | 8.2%         |
| 1978        | 8.1%         |
| 1979        | 8.6%         |
| 1980        | 8.1%         |
| 1981        | 8.0%         |
| 1982        | 6.8%         |
| 1983        | 7.0%         |
| 1984        | 6.8%         |
| 1985        | 6.5%         |
| 1986        | 6.7%         |
| 1987        | 6.9%         |
| 1988        | 6.4%         |

Source Congressional Budget Documents.





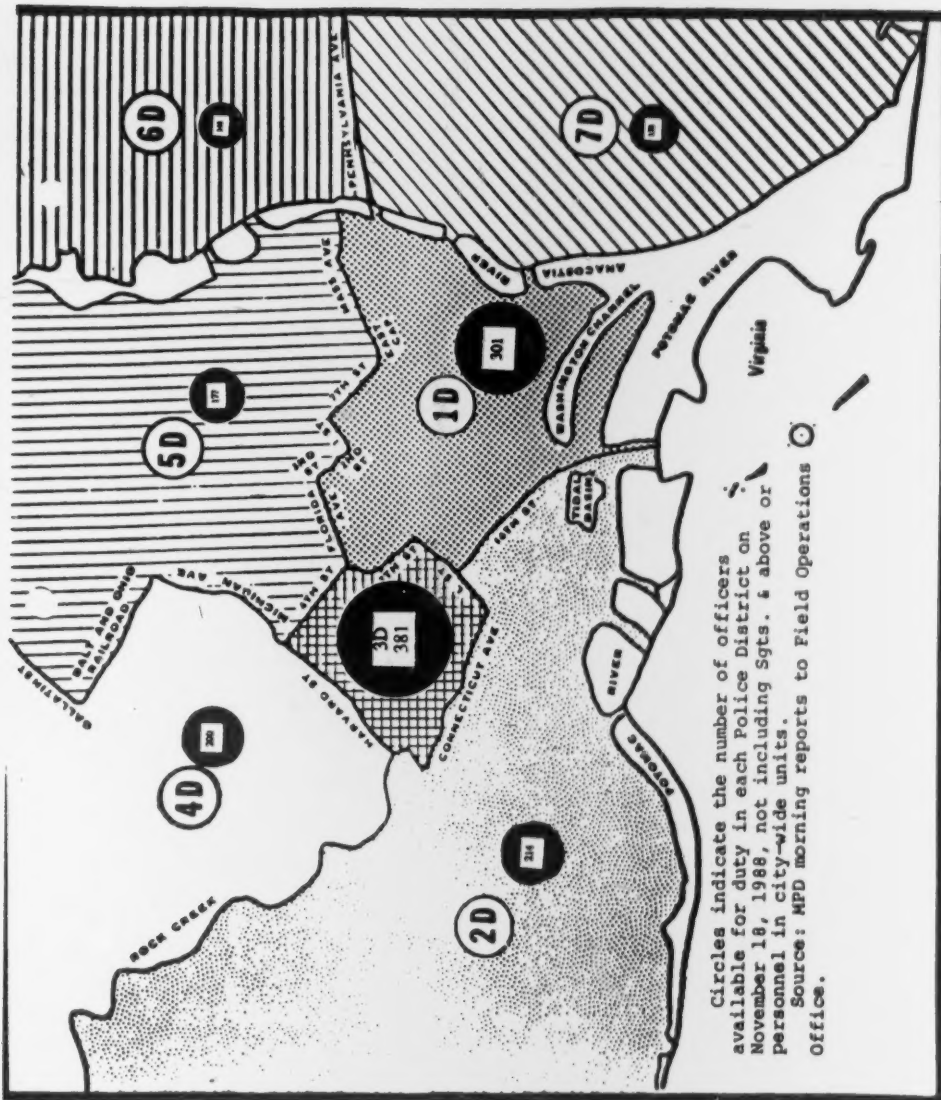
# FRATERNAL ORDER OF POLICE METROPOLITAN POLICE - LABOR COMMITTEE

512 - 5TH STREET, N.W., WASHINGTON, D.C. 20001 (202) 628-0600

## REPORTED NUMBER OF SWORN PERSONNEL BY FISCAL YEAR

| FISCAL YEAR | NO. SWORN MEMBERS |
|-------------|-------------------|
| 1968        | 2,952             |
| 1969        | 3,323             |
| 1970        | 3,907             |
| 1971        | 4,920             |
| 1972        | 5,105             |
| 1973        | 4,714             |
| 1974        | 4,869             |
| 1975        | 4,702             |
| 1976        | 4,390             |
| 1977        | 4,165             |
| 1978        | 4,065             |
| 1979        | 4,073             |
| 1980        | 3,674             |
| 1981        | 3,612             |
| 1982        | 3,865*            |
| 1983        | 3,818             |
| 1984        | 3,861             |
| 1985        | 3,853             |
| 1986        | 3,792             |
| 1987        | 3,848             |

\*Congress mandated minimum authorized strength of 3,880 sworn members.



STATEMENT OF SENATOR DAN COATS BEFORE THE SENATE GOVERNMENTAL  
AFFAIRS SUBCOMMITTEE ON GENERAL SERVICES, FEDERALISM AND THE  
DISTRICT OF COLUMBIA MAY 9, 1989

I WANT TO THANK THE CHAIRMAN AND SENATOR HEINZ FOR EXTENDING THIS OPPORTUNITY TO DISCUSS THE SPECIAL PROBLEMS OF WAGING WAR ON DRUGS IN OUR CITIES AND TOWNS ACROSS THE COUNTRY. AS WE ALL KNOW, THE INNER CITY IS THE LOCUS OF MUCH OF THE MOST ENTRENCHED DRUG TRADE AND VIOLENCE IN AMERICA. I WOULD LIKE TO DESCRIBE SOME OF THE MOST IMMEDIATE WAYS WE CAN HELP FIND SOLUTIONS TO THIS PROBLEM.

I AM A COSPONSOR OF S. 26, A SUPPLEMENTAL APPROPRIATIONS BILL WHICH WILL PROVIDE \$2.7 BILLION TO HELP FULLY FUND THE MANY GOOD PROGRAMS WE AUTHORIZED IN LAST YEAR'S DRUG BILL. YET WE ALL KNOW THAT JUST SPENDING MORE FEDERAL DOLLARS WILL NOT SOLVE THE DRUG CRISIS IN OUR CITIES AND TOWNS, ESPECIALLY WHEN IT COMES TO CRIME RESULTANT FROM DRUG TRADE. THAT IS WHY I AM PLEASED THAT MANY STATE AND LOCAL OFFICIALS IN MY HOME STATE OF INDIANA ARE IMPLEMENTING THEIR OWN INITIATIVES TO COMBAT DRUG ABUSE, AND ESPECIALLY TO ADDRESS THE ORIGINS OF DRUG ABUSE THROUGH EDUCATION, EARLY INTERVENTION AND A CLEAR MESSAGE THAT PUNISHMENT WILL BE FORTHCOMING ON THOSE WHO IGNORE THE LAW.

AS DIRECTOR OF NATIONAL DRUG CONTROL WILLIAM J. BENNETT HAS SO APTLY SAID: "...THE DRUG CRISIS IS A CRISIS OF AUTHORITY..." OF COURSE, DISRESPECT FOR AUTHORITY STEMS FROM PROBLEMS WITH FAMILIES, AND THEIR ABILITY TO SHAPE INDIVIDUALS. WE IN THE SENATE MUST DO ALL WE CAN TO SUPPORT THE REINVIGORATION OF AMERICAN SYSTEM OF JUSTICE, AS WELL AS RESPECT FOR THE SOCIAL CONTRACT BETWEEN THE CITIZENRY AND ITS LAW. CHILDREN WHO GROW UP IN OUR CITIES TODAY SOMETIMES NEVER LEARN THAT SELF-ESTEEM CAN SUPPLANT THE ALLURE OF DRUGS. TEACHERS AND PARENTS MUST INSTILL IN THEM A SENSE OF RIGHT AND WRONG ABOUT THE WORLD, BEGINNING WITH THEIR OWN WELL-BEING. OUR FAMILIES MUST BE AS HAS BEEN SAID, "THE ORIGINAL AND BEST DEPARTMENTS OF HEALTH, EDUCATION AND WELFARE," AND BE THE STARTING POINT AND TOUCHSTONE FOR THE MORAL DEVELOPMENT OF OUR YOUTH. WITH THE BELIEF THAT ACTIONS HAVE CONSEQUENCES, THEY MAY BEGIN TO REALIZE THAT OBEYING THE SPIRIT AND LETTER OF THE LAW PUTS THEM IN GOOD STEAD WITH THEMSELVES, AS WITH THE REST OF SOCIETY.

IF LOCAL AND FEDERAL LAW ENFORCMENT CAN CRACK DOWN, WE CAN END THE PARADE OF CRIMINALS WHO WALK AWAY UNTIL THEIR THIRD OR FOURTH FELONY CONVICTION. IF YOUNG PEOPLE THINK THEY'RE GOING TO HAVE TO PAY FOR THEIR CRIME, THEY WILL THINK TWICE AND FOREBEAR. I THINK WE SHOULD CONSIDER DIRECTOR BILL BENNETT'S IDEA OF PUTTING OUR FIRST-TIME DRUG OFFENDERS IN BOOT CAMP, MAKING THEM RUN, DO SOME PUSH-UPS, UNDERGO REHABILITATIVE EDUCATION, AND ENDURE A RIGOROUS REGIME AS A POSITIVE ALTERNATIVE TO LANGUISHING IN PRISON. BENNETT HAS NOTED THAT A PROGRAM ALONG THESE LINES IN MISSISSIPPI HAS REDUCED RECIDIVISM RATES FOR FIRST TIME OFFENDERS

TO AS MUCH AS 15 PERCENT INSTEAD OF THE USUAL 40 PERCENT. WE CAN COMBAT THE CRISIS OF AUTHORITY THAT HAS OUR YOUNG AMERICANS FEELING INVINCIBLE AGAINST THE LAW BY MAKING SURE THAT THEY ARE NOT.

WE ARE ALL ACUTELY AWARE OF THE REAL DIFFICULTY IN MAKING THE STATE, LOCAL AND FEDERAL LAW ENFORCEMENT SYSTEM PERFORM ITS FUNCTION IN PRESERVING THE ORDER OF THE UNION. THAT IS WHY WE ADDED SO MANY TOUGH NEW PROVISIONS TO THE EXISTING FEDERAL LAW IN THE 1988 OMNIBUS DRUG ABUSE ACT, AND THE REASON FOR MORE FEDERAL SUPPORT FOR LOCAL LAW ENFORCEMENT ACTIVITY.

WHILE WE DID MUCH ON THE DEMAND AND TREATMENT SIDE OF THE EQUATION, I WOULD LIKE TO HIGHLIGHT THOSE ADDITIONS THAT I BELIEVE WILL START TO WEAR DOWN THE CYCLE OF DRUG CRIME NOW IN FULL SWING IN MANY PARTS OF OUR COUNTRY. WE EXPANDED THE REACH AND PUNCH OF JUVENILE JUSTICE ASSISTANCE, WE CREATED THE BUREAU OF JUSTICE ASSISTANCE AND GAVE THEM THE POWER TO HELP LOCAL AND STATE OFFICIALS BETTER ENFORCE DRUG LAWS. WE SET UP NEW GRANT PROGRAMS THAT GIVE STATES THE CHANCE TO SEEK FEDERAL HELP IN STAUNCHING THE FLOW OF DRUGS INTO THEIR TOWNS AND CITIES. WE DECREED THAT DRUG KINGPINS WHO ORDER THE MURDERS OF POLICEMEN CAN BE PUT TO DEATH, THAT THREE-TIME DRUG DEALING FELONS BE PUT AWAY FOR LIFE, THAT CRACK DEALERS GET SENTENCES BEFITTING THE HORROR OF THEIR ACTS, THAT PEOPLE WHO SELL DRUGS ON PLAYGROUNDS OR TO LITTLE CHILDREN ARE GIVEN DEFINED PENALTIES. WE ADDED TO THE NUMBERS OF U.S. ATTORNEYS TO PROSECUTE DRUG DEALERS, WE TIGHTENED MONEY LAUNDERING LAWS AND WE CLOSED SOME LOOPHOLES IN CRIMINAL PROCEEDINGS.

ALL OF THESE MEASURES CAN HELP TAKE DRUG DEALERS OFF OUR STREETS AND PUT THEM AWAY FOR GOOD, AND ALLOW PEOPLE WHO DWELL IN THE NEIGHBORHOODS FILLED WITH VIOLENCE TO RECLAIM THEIR SIDEWALKS AND PARKS.

WE IN THE SENATE CAN BEST ASSIST OUR MAYORS AND LOCAL OFFICIALS BY SEEING TO IT THAT THEIR WORK IS ENHANCED BY OUR PROMPT IMPLEMENTATION OF EXISTING LAW. FOR EXAMPLE, I AND SEVERAL OTHER SENATORS, INCLUDING SENATOR HEINZ, HAVE URGED THE JUSTICE DEPARTMENT TO ACT SPEEDILY ON A PROVISION IN LAST YEAR'S DRUG BILL WHICH WOULD HELP TO PUT INTO PLACE A SYSTEM FOR IDENTIFICATION OF FELONS WHO ATTEMPT TO PURCHASE FIREARMS. WITH THE RISE IN MURDERS AND VIOLENT DEATH ATTRIBUTABLE TO DRUGS, SUCH A SYSTEM WOULD HELP LOCAL POLICE PREVENT SALES OF FIREARMS TO KNOWN DRUG DEALERS.

ALSO, OTHER METHODS OF USER ACCOUNTABILITY THAT CAN MAKE OUR LOCAL OFFICIALS JOBS' EASIER WOULD BE FOR PILOT PROGRAMS LIKE THE DRUG TESTING FOR DRIVERS' LICENSES, ANOTHER PART OF THE 1988 DRUG BILL, BECOME AVAILABLE FOR STATE COMPETITION.

IF WE FAIL TO MOVE FORWARD AGGRESSIVELY WITH THE GOOD IDEAS WE AS A CONGRESS HAVE ALREADY MADE LAW, THEN WE WILL HAVE MISSED A THOUSAND OPPORTUNITIES TO BEST THE CRISIS OF DRUGS IN AMERICA.

WE NEED A FUNDAMENTAL RENAISSANCE OF THE HEARTS OF YOUNG AMERICANS THAT MANIFESTS A REJECTION OF CHEMICAL STIMULATION AT ALL COSTS, AND ONE PART OF THAT RENAISSANCE IS THE REJUVENATION OF AMERICAN JUSTICE AT ALL LEVELS. WE NEED VIGOROUS ENFORCEMENT OF LAWS ALREADY ON THE BOOKS TO SHOW ALL CITIZENS THAT THEY ARE PROTECTED AND THAT DRUG DEALERS DO NOT OWN OUR STREETS. IT IS A FEDERAL, STATE AND LOCAL EFFORT THAT INCLUDES MANY ELEMENTS, THE MOST IMPORTANT OF WHICH IS INDIVIDUAL ACCOUNTABILITY TO THE SOCIAL ORDER.

I THANK THE SUBCOMMITTEE FOR SHARING THIS TIME WITH ME, AND I LOOK FORWARD TO WORKING WITH YOU, THE BUSH ADMINISTRATION AND OUR LOCAL OFFICIALS IN THE LONG FIGHT AHEAD.





MARYLAND GENERAL ASSEMBLY  
JOINT COMMITTEE ON FEDERAL RELATIONS

90 State Circle . Room 200 . Annapolis, Maryland 21401-1991

PAULA C. HOLLINGER  
Senate Chairman

BALTIMORE/ANNAPOLIS: 841-3761 D.C. METRO: 858-3761

SHEILA E. HIXSON  
House Chairman

May 5, 1989

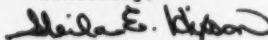
Honorable Jim Sasser  
432 Hart Senate Office Bldg.  
Washington, D.C. 20510

Dear Senator Sasser,

In a recent conversation with members of your staff I learned that you are planning to take testimony from state and local governments in your efforts to improve the intergovernmental aspect of drug enforcement.

The Joint Committee on Federal Relations has the responsibility for intergovernmental relations for the Maryland General Assembly. In February the Committee heard testimony on the intergovernmental aspect of drug enforcement in Maryland from the Maryland State Police, the State's Association, and the Office of Justice Assistance. During the 1988 session the Office of Justice Assistance was required to develop a state "Plan to Curb Drug Abuse". This plan outlines the intergovernmental efforts in Maryland concerning drug enforcement. A copy is provided for your information. If we can be of assistance in developing your program please feel free to call me in Washington at 223-9786 or the committee staff in Annapolis at 301-841-3742.

Sincerely,

  
Sheila E. Hixson, Chair

Ref:52-2341

GOVERNOR'S OFFICE OF JUSTICE ASSISTANCE

JOINT CHAIRMEN'S REPORT:  
PLAN TO CURB DRUG ABUSE ,

October 1, 1988

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STATE OF MARYLAND  
EXECUTIVE DEPARTMENT

WILLIAM DONALD SCHAEFER  
GOVERNOR



GOVERNOR'S OFFICE OF JUSTICE ASSISTANCE

SUITE 301  
5776 WESTERTOWN ROAD  
BALTIMORE, MARYLAND 21215-2347  
(301) 764-4336  
TTY 486-0677

FLOYD G. POND  
EXECUTIVE DIRECTOR

September 28, 1988

The Honorable Laurence Levitan, Chairman  
Senate Budget and Taxation Committee  
100 James Senate Office Building  
Annapolis, Maryland 21401-1991

The Honorable Charles J. Ryan, Chairman  
House Appropriations Committee  
131 Lowe House Office Building  
Annapolis, Maryland 21401-1991

Dear Chairmen Levitan and Ryan:

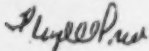
As requested by the 1988 Joint Chairmen's Report (p. 39), I am pleased to submit the Governor's Office of Justice Assistance's plan to curb the use of drugs in Maryland.

Illicit drug activity continues to plague the State, reaching into our schools, our communities, and the workplace and exacting enormous economic and human costs. The drug-related crime rate is escalating as the State's criminal justice, educational, and treatment communities struggle to cope with the drug epidemic. Only by committing the necessary human and fiscal resources targeted at reducing the availability and use of drugs can we hope to reverse this trend.

The Governor's Office of Justice Assistance, which distributes certain federal funds available under the Anti-Drug Abuse Act of 1986, developed a State strategy in mid-1987 designed to ensure cooperation, coordination, and the sharing of resources and information among State and local agencies charged with drug control responsibilities. This Report describes the various programs and activities undertaken to address the drug problem and outlines what remains to be done to implement an effective approach.

I remain committed to pursuing a coordinated statewide drug control strategy that will ultimately eliminate drug abuse in Maryland.

Sincerely,



Floyd O. Pond  
Executive Director

cc: Senator Frank J. Komenda  
Delegate Timothy F. Maloney  
Delegate Pauline H. Menes



## GOVERNOR'S OFFICE OF JUSTICE ASSISTANCE

## Plan to Curb Drug Abuse

## EXECUTIVE SUMMARY

In recognition of the serious problem of drug abuse in Maryland, the 1988 Joint Chairmen's Report requested the Governor's Office of Justice Assistance to develop and submit a plan to curb drug abuse.

Last year the Governor's Office of Justice Assistance presented the State drug control strategy. This strategy is a multifaceted, long-term plan of action that addresses the problems of substance abuse through treatment and rehabilitation, prevention and education, and drug law enforcement. It is still sound and requires no restructuring. The programs and activities that support it however, reflect the dynamics of the drug problem and are, therefore, subject to change.

Using the State strategy as the guide to a comprehensive approach to the drug abuse problem, the plan to curb drug abuse in Maryland focuses on programs to reduce the supply of illicit drugs and programs to reduce the public's demand for drugs, within the limitations of available fiscal and other resources.

In both the areas of drug supply and drug demand reduction, the plan is dependent upon limited federal funds to enhance and improve current efforts. Through federally funded programs, the plan seeks to enhance State and local drug law enforcement capabilities by increasing the number of personnel dedicated to narcotics control, by providing additional equipment and investigative support services, by encouraging coordination, cooperation and sharing of resources among the 28 State and local law enforcement grantees, and by providing training for law enforcement personnel on drug control-related issues.

However, the plan recognizes the fact that law enforcement alone cannot be expected to solve our drug abuse problem. Only by increasing public awareness and changing people's attitudes toward drugs can we hope to reduce the demand for drugs. The plan, therefore, concentrates prevention/education efforts on school-aged youth, at-risk youth, parents, employers/employees, and the elderly.

Through federal financial assistance under the Drug Free Schools and Communities Act, each local school system has received support for the development and implementation of a K-12 drug abuse education curriculum. The multi-year program plan not only includes a comprehensive curricula approach, but supports it with school drug policy guidelines, enhanced peer

leadership programs, and community-based prevention/education programs in every major jurisdiction of the State.

The plan also calls for major initiatives to address the problems of substance abuse in the workplace and among the elderly. Every business in the State will be encouraged to adopt a substance abuse policy for its employees. A model policy has already been developed and will serve as a guide for employers across the State. With our increasing elderly population, there is a growing problem of medication misuse. A pilot program of intervention/education is planned for caregivers of the elderly to provide them with information and techniques to control this problem.

The third component in the plan to curb drug abuse is treatment. The plan will concentrate on the expansion of treatment services to special populations with several pilot projects for treatment within the criminal justice system and the expansion of in- and out-patient treatment services across the State. In addition, the adolescent substance abuser will be the major focus of future initiatives through the networking of adolescent counselors, expansion of school intervention programs, and development of a much needed adolescent assessment tool.

Through the creation of a Governor's Alliance to Prevent Substance Abuse, plans have been developed to promote greater private sector involvement. The Alliance will provide a vehicle to solicit financial resources to support prevention activities and serve as an advocacy network for those activities and groups.

Despite the increased number of programs and activities designed to reduce drug abuse in Maryland, the crisis continues to escalate. Much more can and must be done. The Governor's Office of Justice Assistance has identified a number of initiatives the require action if the State is to effectively curb drug abuse. These include enhanced intelligence capabilities, broader prosecution authority, and the commitment of greater fiscal resources for more treatment services. Drug control clearly requires priority attention from State and local officials and the necessary resources must be committed now to implement and maintain the variety of programs and activities that support the State drug control strategy.

## GOVERNOR'S OFFICE OF JUSTICE ASSISTANCE

## Plan to Curb Drug Abuse

## OVERVIEW

Every citizen in the country today is affected directly or indirectly by the growing crisis of drug and alcohol abuse. It reaches into our schools, our communities, and the workplace, makes our highways and roadways unsafe for everyone, and increases the costs of goods and services. It breeds crime and violence and is responsible for the spread of serum disease. Drug trafficking has become big business, straining the resources of the law enforcement community and the criminal justice system and luring our children into illicit activity with the promise of easy money.

The Joint Chairmen have expressed their concern over the drug problem and have directed the Governor's Office of Justice Assistance to develop and submit a plan to curb drug abuse. This Report provides some background into the drug situation in Maryland, outlines the strategy developed to address the situation, describes the programs and activities undertaken to implement the strategy, and sets forth other resources needed if drug abuse is to be curbed.

Extent of the Problem

It is estimated that there are over 23,000,000 Americans currently using at least one illegal drug. Based upon all available indicators, drug use and drug activity in Maryland are on the rise.<sup>1</sup> Last year, nearly 8,000 patients a day were in treatment for drug dependence or alcoholism. The number of heroin-related admissions to State-certified drug abuse treatment programs has risen from 5,501 in

---

1

One graphic indicator of increased drug use locally is the federally sponsored Drug Abuse Warning Network (DAWN). It collects drug abuse data from Baltimore area hospital emergency rooms. From 1986 to 1987, while the number of incidents involving depressants decreased by 16%, incidents involving amphetamine/methadrine use increased by 6.7%, opiates by 44%, PCP by 64%, LSD and cannabis by 72%, and cocaine by 107%.

FY 1986 to a projected 6,940 for FY 1988, and the number of cocaine admissions has nearly tripled in the past five years.

According to a study conducted by the Maryland Institute for Emergency Medical Services in Baltimore, more than half of the patients admitted to the Maryland Shock Trauma Center had used drugs or alcohol within four hours of receiving their injuries.

Drug use by adolescents continues to be a problem. According to the 1986-1987 Survey of Substance Abuse Among Maryland Adolescents, almost 60% of high school seniors currently use an illegal substance. Fifty-six percent of seniors currently use alcohol and 45% of eighth graders report such use. More than 10% of our high school seniors have used cocaine, PCP, solvents, and amyl-butyl nitrates; 22% of eighth graders have used marijuana and a majority have smoked cigarettes. Of critical importance is the fact that this survey does not include the drug activities of the large school drop-out population; during the 1986-1987 school year alone, over 15,900 children dropped out of school in Maryland.

Nationally, it is estimated that the annual cost of illicit drug use and related crime is between \$60 and \$100 billion, a cost that is continuing to escalate. In the workplace alone, it is estimated that drug and alcohol abuse costs Maryland \$4 billion a year in lost productivity and absenteeism.

#### Drug Availability

Marijuana continues to be readily available and is used throughout the State. LSD availability is on the increase; there is an abundance of PCP and methamphetamine; and the diversion of pharmaceuticals into illicit channels is serious and widespread. However, the undisputed drug of choice throughout the country and the State is cocaine.

Cocaine is available in its traditional form, suitable for "snorting" (inhaling), or in a much more concentrated and potent form known as "crack". Crack is cocaine hydrochloride powder converted to a base state which is suitable for smoking. It is made by mixing powdered cocaine with either baking soda or ammonia and water. The mixture is dried, broken into small hard pieces or "rocks", and packaged for sale. It is extremely addictive and can lead to expensive consumption patterns.

In the past year alone the availability of cocaine, especially crack cocaine, has skyrocketed in Maryland. The domestic oversupply of cocaine has created profitable opportunities for flexible criminal organizations and aggressive newcomers to produce and/or market crack. The raw materials are relatively inexpensive and the conversion process simple enough to allow anyone to produce it. Crack can be sold cheaply and in small quantities. The user obtains an almost instant "rush" or "high" and quickly develops an addiction.

Unlike most other states, where crack first became a major problem in large cities such as Los Angeles, Chicago, New York City, and Miami, crack first established itself in Maryland's more rural areas. Only one year ago it was chiefly confined to agricultural areas on Maryland's eastern and western shores. The primary dealers were Haitian migrant workers who usually acquired the crack in south Florida. Today, however, crack is widely available throughout the State. It can be found in seemingly unlimited quantities in Washington, D. C. and from there it flows throughout the metropolitan Washington area, encroaching farther and farther into Maryland. Southern Maryland is now endangered since drug activity in that part of the State usually follows the pattern of those Maryland counties and communities that surround Washington, D. C.

#### Cocaine Traffic

From the mid-1970's to the present, cocaine traffic has been controlled and coordinated by Colombians. The infamous Medellin and Cali "cartels" have been instrumental in its production, smuggling, distribution, and marketing. The Colombian drug kingpins have exerted influence over the cultivation and processing of coca and cocaine in Colombia, Peru, Bolivia, Ecuador, and other South American countries. To assure themselves that there would be a sufficient supply of cocaine to support their marketing efforts, the Colombian organizations used their influence to generate an increase in production throughout the countries of the coca growing region. Their efforts have resulted in an oversupply so great that despite record seizures by interdiction authorities, domestic cocaine availability continues to increase and prices are now so low that the profit per kilo is no longer attractive to some of the major cocaine smuggling networks. The abundant supply within South America, however, continues to attract new and independent organizations willing to take risks for smaller profits. The involvement of these new organizations is serving to



reduce the vertical control over the traffic that the more established cartels have had.

In the past year, crack distribution in Maryland has changed significantly. Haitian migrant farm laborers no longer dominate the crack market. Jamaican gang (posse) members are an important source of crack in metropolitan areas, and competing posses often vie for the same markets. Some posses are locally situated, while others are based in Florida, New York, Pennsylvania, and elsewhere. Not only is there competition among posses, but often local and non-Jamaican dealers from other states compete in Maryland for a "slice of the pie".

In rural areas of the State, Haitians are still active; however, they must now compete with local dealers who have established their own sources in the Philadelphia area and elsewhere, and with outside entrepreneurs who travel to Maryland to exploit its increasingly lucrative drug markets. Intelligence indicates that organized street gangs, some from as far away as Southern California, are moving to or through Maryland with drugs to sell.

With increasing frequency, juveniles, often armed and from out-of-state, are participating in crack and other drug transportation and distribution activities. Some are recruited by established drug trafficking networks and others join with their peers to form their own organizations. While they may engage in large volume, high profit drug dealing, their age frequently insulates them from meaningful punitive action when confronted by the criminal justice system.

#### Drugs and Violence

With competition so fierce, the drug scene is accompanied by unprecedented violence, often due in part to the effect of the drugs themselves. For example, in a recent case in Takoma Park an alleged cocaine kingpin and his 19-year-old girlfriend were found executed in a hallway of their residence. Last year in Prince George's County two people were gunned down trying to flee from drug dealers who decided to rob them. In Anne Arundel County, a man found on a wooded path had been shot twice in the head in what police believe to be retaliation for the theft of some cocaine and money.

The violence, while usually directed against competitors, often extends to anyone who gets in the way. Ida Marshall, an innocent bystander, was struck and killed

late last year by a stray bullet while looking out her window at an altercation between a drug dealer and his client. In Baltimore, an apparent drug robbery became a multiple murder when several robbers raped and murdered a female drug dealer, murdered her male guest, and murdered the woman's sister and two companions who just happened to arrive on the scene.

### Conclusion

The extremely addictive nature of crack, its abundant availability, and its low price portend difficulties for its containment. In addition, with more and more people becoming habituated to drug use, there is concern that heroin use in Maryland may accelerate. While cocaine prices have been declining, heroin prices have remained constant and may now offer more attractive opportunities for profitmaking.

There is considerable intelligence throughout the law enforcement community that LSD is available and receiving renewed interest by high school and college students and by some white collar/technical professionals. U.S. Drug Enforcement Administration (DEA) data indicates that pharmaceutical drug diversion in Maryland may be more widespread and serious than was previously thought.

Despite increasing numbers of drug arrests and drug seizures, the drug crisis continues to escalate both nationally and in Maryland. Clearly, law enforcement alone cannot solve this problem. More attention must be placed on developing effective approaches to reduce the demand for illegal drugs. Illicit drug use and trafficking must receive priority attention from State and local officials and the necessary resources must be committed to implementing a comprehensive strategy to deal with the drug problem. We must continue to explore new initiatives to reduce the supply of and demand for drugs and to respond promptly to problems caused by drug abuse.

**STATE STRATEGY FOR DRUG CONTROL**

Last year the Governor's Office of Justice Assistance developed a State drug control strategy that encompasses both drug supply and drug demand reduction. Drug supply reduction involves the various activities that serve to reduce the availability of controlled dangerous substances. Drug demand reduction involves the various activities that serve to reduce the public's demand for illegal substances. The State strategy recognizes the abuse or illegal use of alcohol as a serious drug problem and includes it in all references to drug abuse.

To effect reduction in the available supply of controlled dangerous substances, State and local authorities must:

- Identify and remove from the traffic those individuals and organizations responsible for the buying, manufacturing, or selling of illicit drugs.
- Locate and seize those stocks of illicit drugs that are available for purchase, manufacture, or sale.
- Identify and obtain forfeiture of those funds and assets derived from the purchase, manufacture, or sale of illicit drugs.
- Enact and improve laws making it personally and financially prohibitive to purchase, manufacture, or sell illicit drugs.

To effect reduction of the public's demand for drugs, State and local authorities must:

- Conduct education and prevention programs to increase public awareness of and provide information on the dangers of drug abuse, thereby promoting a general unwillingness to experiment or risk initial exposure to dangerous drugs.
- Establish intervention programs to identify drug users and help them free themselves from the demand for drugs.
- Target education and prevention resources at youth not yet engaged in drug use and youth who are at high risk of becoming drug abusers.

- Provide treatment and counseling for all drug users who require assistance in controlling their demand for dangerous drugs.
- Obtain community and private sector support and involvement in statewide drug abuse education and prevention initiatives.

A comprehensive drug control strategy should be flexible and will generally remain constant. It does not change because the drug of choice has changed or because the source of supply is now different. What may change, however, are the programs and activities that are implemented in support of the strategy. For example, prevention programs that focus on crack may be reduced and resources redeployed if crack availability and use were to diminish greatly in favor of LSD or some other drug of abuse.

Though the dynamics of the drug problem in Maryland are ever changing, the State drug control strategy requires no restructuring. It is a multifaceted, long-term plan of action that addresses the problems of substance abuse through treatment and rehabilitation, prevention and education, and drug law enforcement. It consists of efforts to reduce the supply of drugs and efforts to reduce the demand for drugs. It deals with all aspects of the problem in a balanced and coordinated fashion.

## IMPLEMENTATION PLAN

Solving the drug problem is a long-term process that will require the continuing commitment of the resources necessary to support the State strategy. Implementation of the plan to curb drug abuse currently relies heavily upon limited federal funds. The focus is on maximizing State and local law enforcement resources, general system enhancements, and targeting special populations. The plan, while recognizing the necessity to continue to support programs and activities that address supply reduction, will focus with increasing emphasis on long-ignored demand reduction activities.

### Law Enforcement Initiatives

Federal funds to implement the drug supply reduction aspects of the State drug control strategy are provided pursuant to the State and Local Law Enforcement Assistance Act (SLLEAA). Projects selected to support the State strategy are varied and innovative and often tailored to address the specific needs of individual grant recipients. Approximately 40% of these funds are being used to support State drug control activities, with the Maryland State Police Narcotics Division serving as the focal point for the plan. The remainder of the funds are being passed through for county and municipal use.

Among the projects being funded are interdiction programs involving highways, bus and train stations, and BWI Airport; repeat drug offender programs; programs designed to identify and seize assets acquired through drug trafficking; street-level drug enforcement programs; prosecution programs; a drug diversion control program; specialized narcotics drug task force operations; major violator investigative efforts; and programs to expedite and enhance laboratory analysis of drug evidence.

The plan for implementing the State law enforcement drug control strategy focuses on supply reduction efforts through cooperation, coordination, and the sharing of finite resources. It is a multi-year plan that utilizes federal funds to bring narcotics control to the forefront of law enforcement efforts and create a statewide network of cooperating law enforcement agencies.



To deal with the continuing problem of limited resources, grantees were encouraged to cooperate, coordinate, and share information. Following are some examples showing that the spirit and intent of the plan are beginning to be met:

- Federal funds supported establishment of the Wicomico County Narcotics Task Force. It is the very first fully dedicated drug enforcement task force in Maryland that is composed of full-time prosecutive personnel and law enforcement personnel from the State Police and county and municipal governments. The Task Force has already proven extremely effective and has served as the model for five similar county-wide task forces now operating in Worcester, Frederick, Harford, Allegany, and Washington counties.
- Through formal Letters of Understanding, the Maryland State Police Narcotics Division, which is taking the lead in developing liaisons throughout the State, has formed cooperative law enforcement operations with one county and two municipal law enforcement agencies.
- Through collaboration with several other law enforcement grant recipients in Prince George's County, the Prince George's County Sheriff's Department was able to conduct a number of highly successful, well-coordinated sweeps to apprehend felony drug fugitives.
- Anne Arundel, Montgomery, and Prince George's counties have now been able to establish major violator drug projects that coordinate with the Maryland State Police Narcotics Division. When investigative action is needed beyond individual county jurisdictions, the State Police can be notified to provide needed multi-jurisdictional assistance.
- To address the problem of pharmaceutical drug diversion in Maryland, federal funds supported the establishment of a drug diversion control program within the Maryland Division of Drug Control. While originally the program only involved the development of a diversion data base to help regulate pharmaceuticals, the Governor's Office of Justice Assistance brought about the inclusion of an investigative function, with a Maryland State Police investigator to help assure that statewide law enforcement and regulatory action are properly

coordinated and conducted and DEA compliance investigators to provide a national perspective in the diversion control effort.

The Governor's Office of Justice Assistance is also taking advantage of opportunities to maximize available resources and enhance operations that affect all jurisdictions within the State:

- To address the problem of illicit marijuana cultivation, arrangements were made for DEA to train Maryland National Guard pilots to recognize and identify fields of cultivated marijuana and to notify law enforcement officials of the locations.
- Arrangements have been made to train State chemists in the proper procedure for conducting safe and effective operations involving clandestine laboratories.
- To provide State and local law enforcement agencies with assistance on seizure and forfeiture techniques, the Governor's Office of Justice Assistance and the Maryland State Police co-hosted a two-day asset seizure and forfeiture training session conducted by the Police Executive Research Forum for police and prosecutors from throughout the State.
- In a collaborative effort with the Maryland State Police, the Office assisted in the development of a five-year drug control plan for the Maryland State Police.
- Plans are currently being developed to sponsor and support ongoing specialized training sessions for narcotics prosecutors through the Maryland State's Attorneys' Association.
- The Office participates in an ongoing multi-agency work study group to identify drug control needs that might be enhanced by appropriate legislation.

### Prevention and Education Initiatives

The Maryland State Department of Education, the Alcohol and Drug Abuse Administration, and the Governor's Office of Justice Assistance, working with a cross-section of citizens and private industry from across the State, have embarked upon a comprehensive, multi-year prevention plan. The plan will focus its prevention/education efforts on special populations. In its first and second years school-aged youth, at-risk youth, parents, employers/employees, and the elderly will be targeted.

- With federal funds under the Drug Free School and Communities Act, drug and alcohol abuse prevention curricula are being developed, implemented, and evaluated in Grades K-12 in all local school systems under a three-year program plan.
- School policy guidelines that address drug and alcohol abuse issues have been developed and will be submitted to the Maryland State Board of Education in Fall 1988 for adoption as a By-Law. This By-Law will incorporate rules regarding drugs and alcohol and drug paraphernalia on school property, discipline policies, cooperative agreements with law enforcement agencies, intervention approaches, required assessments of all students suspended for drug involvement, and school-community cooperation.
- The Maryland Student Assistance Program, an intervention program designed to assist students involved in drug and alcohol abuse, will be offered to all schools in the State. It has been initiated in Anne Arundel, Baltimore, Charles, Dorchester, Frederick, Kent, Queen Anne's, St. Mary's, Talbot, and Washington counties and Baltimore City. Calvert, Carroll, Harford, and Prince George's County schools will initiate these programs through a scheduled October 1988 training.
- Peer leadership programs, which have been developed and implemented in all local school systems within the State, will be continued. The programs are designed to supplement drug and alcohol abuse prevention curricula and intervention programs. The most effective, which incorporate a peer leadership or peer counseling

approach, are Students Helping Other People (SHOP), Winning on Wellness (WOW), and Students Against Drunk Driving (SADD).

- The establishment of annual training sessions for school personnel is being evaluated. This past year secondary school coaches from across Maryland attended a four-day drug abuse prevention training session at the University of Maryland. These coaches were teamed with their local prevention coordinators, provided information about drugs and alcohol, and given information on local resources. Each team then developed a plan for a prevention program in their schools.
- A parent awareness and education program is being developed and will be piloted in at least two local school systems this year. The program will assist parents of school-aged children in developing the skills necessary to respond to drug and alcohol problems within their families.
- In order to address effectively the substance abuse problem in the workplace, each and every employer in the State should have a substance abuse policy. The Governor's Advisory Board for Justice Assistance has developed a model policy for all Maryland employers, both public and private. The model offers detection, prevention, and rehabilitation program components, and its adoption will be promoted throughout the State with the assistance of the Maryland Chamber of Commerce.
- Every jurisdiction in the State currently has a drug abuse prevention coordinator supported through the Alcohol and Drug Abuse Administration's Prevention Division. These coordinators, working out of local Health Departments or County Executive's offices, provide services for high-risk youth and other broadly-based community programs for drug and alcohol abuse prevention. To address the issue of youth at risk of involvement with drugs, federal funds are being used to enhance the capability of these local offices to implement innovative community-based prevention services.
- Because the elderly are the largest consumer group of prescription medication, the issue of widespread medication misuse and abuse must be confronted. With the development of a specialized

drug education training approach for caregivers of the elderly, a program addressing misuse and abuse of medications will be initiated in the fall of 1988. The pilot program in Baltimore City and Baltimore County is a cooperative project between the Governor's Office of Justice Assistance and the University of Maryland School of Pharmacy, utilizing both federal funds and private sector contributions. It is planned to expand the program to other regions of the State next year and to support the project with more private sector monies.

As part of the statewide plan to curb drug abuse, a Governor's Alliance to Prevent Substance Abuse was formed to bring together all elements of the prevention community and promote private sector involvement and support for substance abuse prevention. The Alliance, a 501(c)(3) public charity, will solicit financial resources to support prevention efforts and will function as an advocacy network by bringing together and assisting individuals and groups interested in providing prevention services.

- As part of the Governor's Alliance to Prevent Substance Abuse, prevention coordinators from across the State were trained in networking skills to enable them to better communicate with local business and community leaders to enhance support for their community-based prevention efforts.
- An all-day networking meeting was conducted for prevention coordinators, Maryland Chamber of Commerce representatives, presidents of local Chambers, heads of local trade associations, and drug and alcohol abuse prevention experts from around the State to facilitate linkage between the business community and the drug abuse prevention community.
- The Governor's Alliance and the Maryland Alliance for Drug Free Youth have joined together to participate in the National Red Ribbon Campaign, a statewide public awareness campaign to encourage school-aged youth to remain drug and alcohol free. This campaign will be coordinated with an essay contest sponsored by the Telephone Pioneers of America for all 6th grade students in the State.



- The Alliance is also developing a public awareness campaign to focus on three targets: the elderly and prescription drugs; employers and drugs in the workplace; and parents, children, and families and the issues of drug abuse. Educational, motivational spots will be broadcast on television.
- Plans are being developed to expand involvement in the delivery of prevention services to the religious and civic communities.

### Treatment Initiatives

The Alcohol and Drug Abuse Administration maintains responsibility for Maryland's treatment services program and allocates available resources among programs throughout Maryland aimed at filling critical gaps in local treatment service needs. This funding supports additional services for in-patient treatment for adolescents, in-patient treatment for cocaine dependency, two group homes for adolescents, counseling for PCP abusers, and expansion of out-patient treatment services. There is also currently available very limited federal funding under the SLLEAA for some criminal justice-related treatment programs.

- With SLLEAA federal funds, the Governor's Office of Justice Assistance is supporting four new programs to provide drug treatment to locally detained inmates and to assess and supervise high-risk probationers and parolees. In Baltimore and Worcester counties, treatment is provided for inmates and their families. Assistance in obtaining community-based counseling after release is also included. The Montgomery County Pre-release Center has added an intensive drug treatment component to its existing program. This pilot structures a course of treatment similar to that which many individuals receive at private residential centers. The Maryland Division of Parole and Probation has instituted an intensive Supervision of High Risk Drug Offenders pilot in Prince George's County.

- The Governor's Office of Justice Assistance in collaboration with the University of Maryland is developing and distributing a statewide resource directory that will identify all substance abuse treatment, prevention, and after-care programs available in the State of Maryland.

In the second year of the project, the University of Maryland will provide a statewide information line to assist the public and state agencies seeking to identify available services. The directory is targeted for completion by Spring 1989.

Although the need to maintain current treatment services for all segments of the population is recognized, the drug plan targets a population upon which Maryland's limited resources will have the greatest impact - the adolescent substance abuser. As our most valuable resource, children deserve priority attention. The Governor's Office of Justice Assistance will continue to collaborate with other agencies on initiatives that support the continuum of care for adolescents.

- A Network of Adolescent Drug and Alcohol Counselors (NADAC) was created as a means of providing support for those individuals who provide substance abuse treatment for adolescents. It offers public and private counselors an opportunity to share their knowledge and skills, as well as share concerns and solutions. Through limited funding the Governor's Office of Justice Assistance provides the network with consultants and trainers.

Plans for a statewide conference for NADAC members are being discussed. Speakers and educators from around the State will be utilized through a cooperative effort with the Alcohol and Drug Abuse Administration. At present NADAC has approximately 80 members.

- The Maryland Student Assistance Program is a collaborative effort involving the Governor's Office of Justice Assistance, the Maryland State Department of Education, and Masonic Charities of Maryland.

The primary purpose of the program is the early identification of children in need of treatment for substance abuse and other problems, such as neglect, abuse, pregnancy, depression, and suicide. The team, made up of key personnel within the school and the community, receives referrals from school staff and investigates and evaluates the need for intervention. If indicated, the child is referred to an agency skilled in providing assessment and treatment services.

- In conjunction with other human service agencies, the Governor's Office of Justice Assistance is participating in the development of an adolescent substance abuse assessment tool which, when finalized, will be implemented statewide.

#### General Activities

- The Governor's Office of Justice Assistance is a member of an interagency work group that is reviewing Maryland's drug and alcohol policies and identifying mechanisms to direct and marshal all available resources to better coordinate these policies.
- Since September 1987, the Governor's Office of Justice Assistance has been very active in efforts to promote a regional approach to prevent and control illegal drug activity. Interstate communication and cooperation in law enforcement, prevention, and treatment areas, through a regional exchange of expertise and pooling of resources, will help to maximize Maryland's limited resources. The Governor's Office of Justice Assistance was responsible for planning and coordinating the first Middle Atlantic Governors' Conference in March 1988, hosted by Governor Schaefer, and for drafting a report on the proceedings of the conference. Office staff have been instrumental in planning for an October 1988 meeting of the region's cabinet-level executives and will be responsible for drafting the final report and for overseeing Maryland's participation in the regional strategy.

- In an effort to maintain a liaison with the State Legislature, the Governor's Office of Justice Assistance has provided information to and sought assistance from the House Special Committee on Drug and Alcohol Abuse. This sharing of advice and information has addressed the State drug control strategy, utilization of federal funds, and the development of new initiatives in the area of drug and alcohol abuse.
- To bring all State agencies into and encourage the greater involvement of public officials in drug control efforts, plans are being developed to hold information training sessions for Cabinet and Deputy Cabinet members and the Legislature.

## ACTION REQUIRED TO CURB DRUG ABUSE

Any strategy to curb the use of drugs is impacted by resource, legislative, and organizational needs. The first requirement for developing an effective implementation plan, therefore, is to identify those needs. Once they are identified, their resolution becomes a critical part of the implementation of a drug control strategy.

### • Funding

A requirement for conducting and maintaining a meaningful statewide drug control effort is having an appropriate strategy. The implementation of such a strategy must take into consideration the funds and other resources and capabilities available for its support. With only \$3 million to address the drug supply reduction needs of the many applicants from throughout the State, the apprehension/prosecution program fell far short of what was identified as being necessary to properly support the strategy. Maryland's plan was based on an expectation of three years of level federal funding support. It has been made less meaningful by reductions in second year treatment and law enforcement funding under the federal Anti-Drug Abuse Act and continuing uncertainty about the availability of all such funds under the third year of the program. Maryland cannot continue to rely on the federal government for fiscal support. The State must appropriate more funds to support drug control efforts now if we are to be successful in reducing drug abuse.

### • Information Center

There continues to be an absolute need for a coordinated statewide drug information system. Although there is a vast amount of disparate drug and drug-related information available throughout Maryland, nowhere does it come together in a manner that would enable it to be stored, collated, processed, analyzed, and distributed as finished intelligence suitable for use by those who legitimately need such data for strategic, tactical, and operational planning purposes.

Sources of valuable drug information are broad and varied and include police investigative reports from various jurisdictions; criminal justice statistical data; generic (not specific to any individual) school drug incident data;



generic treatment data such as type and class of drugs being abused; medicaid fraud investigative reports regarding controlled dangerous substances; police informant debriefings; hospital emergency room drug incident data; crime lab data; point of sale information on pharmaceutical distribution; high school drug use survey data; and national and international drug prevention, treatment, and law enforcement information.

The collection, analysis, and sharing of information regarding all aspects of the drug control effort are crucial to its success. For example, information on the effects of drug use is central to any public education process. Data on the extent of drug use, the availability of illicit drugs, and the resulting social costs are critical in making broad resource allocation decisions and in evaluating the overall effectiveness of drug control programs. Strategic intelligence on trends in drug abuse, levels of price and availability, sources of drugs, and capabilities of government and private entities to control drugs are essential for making more detailed resource allocation decisions. Data on the effects of different types of treatment on abusers of different drugs, both during and after treatment, are vital in determining what type of treatment works best for whom. Operational and tactical intelligence is essential for targeting enforcement efforts, screening possible leads and for insuring the maximum development of those leads. In short, information must serve as the foundation for both short- and long-term program management.

The Maryland State Police has been attempting to upgrade its capability to meet the growing drug information needs of State and local law enforcement agencies. Although its intelligence staff is effectively and productively utilized, available Maryland State Police resources fall far short of what is necessary to adequately provide the services that are desired and needed. It has only one full-time drug analyst to serve the needs of the entire State, and nowhere else does any institutional drug analytical capability exist at the State level.

#### ● Prison Space

A critical gap in the State drug control program, one affected by both funding deficiencies and the State's inability to anticipate fully and plan for the impact of this national drug crisis on State resources, is lack of adequate prison space. Through improved cooperation and coordination among law enforcement and prosecution

personnel, more seizures and apprehensions are occurring. A systemic breakdown occurs, however, as a result of the criminal justice system's inability to exact an appropriate cost from those drug violators (many of whom are illegal aliens and non-residents) who have been arrested/convicted. Court backlogs and crowded prisons serve to keep drug violators out of prison and on the streets, where they continue to deal in drugs and serve, by example, as positive reinforcement for the drug dealing community.

● Conspiracy Law

There is a serious need for greater use of conspiracy laws, where feasible, to attack and immobilize drug networks. With some notable exceptions, law enforcement is still directing almost all of its apprehension/prosecution resources against individual drug violators rather than against drug enterprises/conspiracies. The failure to take maximum advantage of apprehension/prosecution opportunities is possibly a result of not having the intelligence resources needed to identify such enterprises/conspiracies and not having enough prosecutors who are experienced in or trained to prosecute conspiracy cases. The Maryland State Police hosted a conspiracy training school for drug investigators and, although the investigators were enthusiastic about the aggressive use of Maryland's conspiracy statute, many expressed the opinion that they would not be able to get the prosecutive support that such an effort requires. Use of conspiracy laws will allow prosecutors to indict conspirators who are too sophisticated to allow themselves to be readily charged with substantive drug offenses, even when these traffickers reside outside the prosecutor's jurisdictional authority. Successful prosecutive actions of this type become known to participants in other drug enterprises and serve to make them aware of their own vulnerability.

● Jurisdiction

Maryland's current inflexible jurisdictional restrictions complicate any attempt to attack geographically dispersed drug trafficking networks/enterprises. To deal effectively with this problem, it is necessary to have the ability to convene statewide grand juries and have the capability to prosecute drug networks on a statewide basis. Anything less results in missed opportunities and reduced impact.

As an example, the Maryland State Police recently concluded an investigation that cut across a number of prosecutive jurisdictions. Because county prosecutors cannot effectively handle cases involving activity outside their jurisdiction, the manner in which the case must be prosecuted resulted in case fragmentation and a loss of control that diminishes the benefits which should accrue from such a well developed, professionally managed and conducted investigation. Artificially "cutting up" a case to allow State's Attorneys to prosecute it in geographically acceptable segments only serves to reduce the number of potential defendants and hide the magnitude and significance of the conspiracy from the presiding judge. A judge's inability to truly visualize an enterprise is, most assuredly, going to be reflected in the sentencing determination.

The lack of an effective statewide prosecution capability also has prevented Maryland from applying for available discretionary grant funds from the U.S. Department of Justice. These funds, which are earmarked for conducting a "Statewide Drug Prosecution Program," require the recipient to have a statewide or multi-jurisdictional prosecution capability or statewide or regional grand juries and support resources.

- Seizure/Forfeiture

The seizure and forfeiture of assets deprives drug traffickers and drug offenders of the profits derived from illegal activities. Many states and the federal government have laws that take the profit out of drug dealing. However, Maryland law only permits the seizure of vehicles used in narcotics activities, money found in close proximity to narcotics, or proceeds directly traceable to narcotics violations. Maryland law must be expanded to permit the seizure and forfeiture of assets where the defendant cannot show that those assets were legitimately acquired. Strong asset seizure and forfeiture laws could force drug traffickers to assume responsibility for underwriting the State's drug control efforts.

- Pharmaceutical Diversion

Maryland, unlike a number of other states, does not have a multiple prescription system to control illegal pharmaceutical distribution. Under such a system, one copy of a prescription would stay with the physician, one would

be retained by the pharmacy, and one would be sent to the Maryland Division of Drug Control, the State's regulatory agency, for monitoring. Such systems help identify physicians and pharmacists who are dispensing inordinate amounts of controlled dangerous substances. The monitoring, by itself, serves to reduce indiscriminate and abusive dispensing. In those states where such systems have been implemented, the dispensing of Schedule II pharmaceuticals has decreased by 35-55% within the first two years.

- Fraud in Trafficking

Drug trafficking, by its very nature, requires its participants to operate covertly and to use fraud, deceit, and trickery (e.g., using false identification, creating bogus corporations, misrepresenting assets) to conceal drug operations and activities from the authorities. Federal law enforcement officials utilize a number of fraud-related statutes to charge and immobilize drug dealers. Maryland lacks similar broad statutes and, therefore, is unable to attack the drug dealer by focusing on the rampant fraud that is part and parcel of the drug scene.

- Treatment and Rehabilitation

It is important to recognize that, while the state has developed a viable and effective treatment system over the years, the existing system will require additional resources if it is to respond successfully to the increasing needs of those individuals suffering from chemical dependency. There are simply not enough treatment slots available now to meet the increasing need and demand for treatment, both within the criminal justice system and in the community at large.

- Adolescent Treatment

The current trend among adolescents is to experiment with and abuse drugs that typically lead to more aggressive and often bizarre behavior. It is often impossible to identify whether a behavior disorder is drug induced or is a symptom of a mental health disorder. Substance abuse treatment facilities are not equipped to deal with a child whose behavior makes him a danger to himself or others and, conversely, psychiatric facilities often do not have the capability to treat the addiction problem. Therefore, there

is a critical need for treatment facilities that can serve the dually diagnosed (addicted and emotionally disordered) individual, especially the dually diagnosed adolescent.

The Student Assistance Program is an effective intervention model and should be implemented statewide. However, identification of children in need of treatment is meaningless unless sufficient adolescent treatment resources are available. Currently, there is up to a six week wait before admission to an out-patient drug abuse counseling program. More residential and outpatient treatment services, including an increased number of family counselors, must be provided to meet the needs of children identified by local Student Assistance Program teams.

There is a need to adopt a uniform adolescent substance abuse assessment tool to be utilized in all State agencies that encounter youth with substance abuse problems.

Since the Juvenile Services Agency is responsible for youth at high risk for involvement with drugs, there is a need to institute substance abuse awareness training for all JSA staff, with a select number of personnel trained to become certified addictions counselors who could provide assessment at their local offices and assessment and treatment at their institutions. Special efforts should be concentrated on the severely addicted and more delinquent institutionalized population. At minimum, a policy that every child who is referred to the Agency will be immediately assessed for drug and alcohol involvement should be seriously explored.

Evaluation is an integral component of program planning and implementation and, as such, must be considered as critical to success. In both the areas of treatment and prevention, new and innovative programs are being developed. However, there is currently no reliable evaluation tool to assess a program's efficacy. There is a critical need for such a tool to identify those programs that are effective and appropriate in both treatment and prevention.



**SUMMARY**

Despite the increased number of programs and activities designed to curb the supply of and demand for illegal substances, Maryland is facing a drug crisis that threatens to overwhelm us, both in human and fiscal terms. Although law enforcement efforts must be supported and made more effective, law enforcement alone cannot be expected to solve the crisis. Supply interdiction by itself cannot control the drug problem as long as the demand for illicit drugs continues. Accordingly, the need to reduce the demand for drugs must be addressed. Efforts to change the public's attitude toward drugs and to promote a general unwillingness to experiment or risk initial exposure to dangerous drugs must be pursued. Funding for drug abuse treatment must be increased to ensure the availability of services to those who require assistance in freeing themselves from drugs.

The drug problem can no longer be viewed as primarily a national problem to be solved on a national level. The State cannot continue to rely heavily upon federal fiscal support. State and local officials must establish drug control as a priority and commit the necessary State resources to developing and implementing a comprehensive, long-term approach that attacks the problem on all fronts. The problem will not be solved overnight. The State must address those deficiencies that have been identified as affecting Maryland's ability to curb drug abuse. By enacting tough drug laws and providing fiscal support for drug control initiatives, Maryland's lawmakers can send a message to all citizens that illicit drug use will not be tolerated in this State.

**UPDATE OF THE MARYLAND STATE DRUG CONTROL STRATEGY**

June 1988

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## UPDATE OF THE MARYLAND STATE DRUG CONTROL STRATEGY

## SECTION I: NATURE AND EXTENT OF THE PROBLEM

Changes in Drug Activity

Drug activity in Maryland has undergone significant changes since the publishing of the August, 1987 State Strategy. It has become more intense and much more volatile with the use of cocaine, especially "crack" cocaine, emerging as an escalating threat.

In August, 1987, "crack" was generally limited to Maryland's agricultural areas - primarily on the eastern shore and in the orchard growing areas on the western shore. The market was dominated by Haitian migrant farm laborers who brought the drug north from Florida. That is no longer the case. Today, crack is available in seemingly unlimited quantities in Washington, D.C., and from there it flows throughout the Metropolitan Washington area, encroaching farther and farther into Virginia and Maryland. Southern Maryland is now endangered since drug activity in that part of the State usually follows the pattern of those Maryland counties and communities that abut Washington, D.C. Although PCP is still extremely popular throughout the Metropolitan area, on an ever increasing basis apprehensions and undercover police activity involve crack.

To appreciate the magnitude of the increase in the availability of crack in this metropolitan area, one need only examine relevant Drug Enforcement Administration (DEA) forensic data. The DEA performs all prosecution related forensic drug analysis for Washington, D.C.'s Metropolitan Police Department (MPD). MPD submits approximately 10,000 drug samples a year for such analysis. DEA's analysis makes no distinction between cocaine and crack cocaine, however, most of the cocaine currently involved in area police actions is crack. Out of approximately 10,000 drug samples submitted each year for forensic analysis, the respective number of cocaine samples submitted for fiscal years 1986, 1987, and the first one-half of 1988 were 2,097, 2,819, and 1,786 (3,572 plus projected) samples. The respective average percent of the cocaine base per sample for these time periods was 9.2, 21, and 52. The respective average purity of the cocaine base was 28%, 73% and 83.7%. Despite ever increasing cocaine/crack arrests, more and more cocaine/crack of increasingly higher purity remains available for sale at constantly decreasing prices.

Jamaican gang (posse) members are an important source for crack in the metropolitan area. Often, competing posses vie for the same markets. Some posses are locally situated, while others are based in Florida, New York, Pennsylvania and elsewhere. Not only is there competition between posses, but often local nationals and non-Jamaican dealers from other states are all competing in Maryland for a "slice of the pie." Competition is fierce, and the crack scene is accompanied by unprecedented violence, due in part to the affect of the drug itself. The violence, while

usually directed against competitors, often extends to anyone who gets in the way.

In the rural areas of the State, crack is no longer under exclusive Haitian control. Although Haitians are still active, they must compete now with local dealers who have established their own sources in the Philadelphia area and elsewhere, and with outside entrepreneurs who travel to Maryland to exploit its increasingly lucrative drug markets. Intelligence indicates that organized street gangs, some from as far away as Southern California, are moving to or through Maryland with drugs to sell.

With increasing frequency, juveniles are participating in drug transportation and distribution activities. While they may engage in large volume, high profit drug dealing, their age frequently insulates them from meaningful punitive action when confronted by the criminal justice system. Their growing participation does not appear to be reflected in data developed through the National High School Survey on Drug Abuse. This may be because survey respondents appear to represent a different population than those youth who are fully engaged in drug dealing.

The seriously habituating nature of crack, its abundant availability, and its low price portend difficulties for its containment. All indications are that it will continue its rapid spread. Adding to the dilemma is the problem of court backlogs and prison overcrowding, circumstances which reduce the likelihood that apprehended drug dealers will have to serve time. With little to fear in regard to serving hard time, drug distributors react in the manner of "lions" that have overcome their fear of the "lion tamer". In such a scenario, the police become synonymous with the lion tamer.

With more and more people becoming habituated to drugs, there is concern that heroin use in Maryland may accelerate. Heroin seized outside of Maryland has been determined through subsequent investigations to have been destined for distribution within Maryland. Information is also available that certain cocaine/crack sources are unhappy with declining profits per kilogram that result from oversupply. They visualize higher profits per kilogram through the sale of heroin. Much of the heroin for sale now in Maryland is smuggled into the United States by Nigerian, Iranian, and Pakistani traffickers.

There is considerable intelligence throughout Maryland's law enforcement community that LSD is available and receiving renewed interest by high school and college students, and by some white collar/technical professionals. There is also data which shows that pharmaceutical drug diversion in Maryland may be more widespread and serious than was previously thought. Due to limited resources and other drug enforcement priorities, little has been done to fully explore and substantiate such drug intelligence.

Also, due to resource limitations, no adequate assessment has been made to determine the magnitude and significance of marijuana cultivation in Maryland.

Maryland, like every other state, has not been able to contain the supply of drugs within its borders. Also, like every other state, it is at great peril because of the nation's inability to resolve its national substance abuse problem. The international and interstate aspects of substance abuse control have not been overcome. Most of the illegal drugs available in Maryland originate elsewhere. Many of the drug dealers who deliver and distribute illegal drugs in Maryland are not residents of the State. In fact, many dealers are illegally in the United States.

To illustrate how the totality of the problem frustrates individual state efforts to achieve independent solutions, it is important to know that in the recent past, most of the PCP used in Maryland was clandestinely produced within the State. Maryland, in fact, had the unfortunate distinction of being a major production point for dealers and users throughout the United States. To stop it, Maryland law enforcement agencies banded together and through aggressive action succeeded in turning the situation around. Today, Maryland is no longer recognized as a major producer of PCP. Unfortunately, PCP production is currently rampant elsewhere in our nation, and supplies are more than sufficient to meet the continuing needs of Maryland's users and dealers.

While the problem of substance abuse is national in scope, the brunt of this crisis is borne by the states individually. Maryland's limited geographic perspective and finite resources are not sufficient to provide it with the ability to conduct long-term crisis planning or to resolve the ever increasing series of drug related challenges with which it is faced.

## SECTION II: CURRENT DRUG CONTROL EFFORTS

The underlying theme of the State Drug Control Strategy is cooperation, coordination, and the sharing of resources and information. State and Local Law Enforcement Act (SLLEA) funds are used to initiate projects which support this theme. There are many outstanding examples showing that the spirit and intent of the strategy are being met. For example:

During the past year, the Wicomico County Narcotics Task was formally established. It is the very first fully dedicated drug enforcement task force in Maryland that is composed of full-time law enforcement personnel representing state, county, and municipal governments. Manpower for the Task Force is provided through grants to the individual contributing law enforcement agencies and full-time prosecutive support is provided through a grant to the State's Attorney's Office. The Task Force has already proved extremely effective and it serves as a model for similar



county-wide task forces. It has worked beyond its home jurisdiction, in conjunction with another county task force, to affect drug and money seizures and the arrest of drug dealers that operated throughout a multi-jurisdictional area.

SLLEA funds are supporting a fugitive identification/apprehension project run by the Prince George's County Sheriff's Department. It involves identifying and apprehending felony drug fugitives. A number of highly successful well-coordinated sweeps have been conducted which required the apprehension assistance of large numbers of law enforcement personnel. Law enforcement assistance for these sweeps has been willingly provided by various other area law enforcement agencies that have individually received SLLEA project funding support.

In order to better assess and address pharmaceutical drug diversion in Maryland, SLLEA funds are being used to develop and maintain a drug diversion data base operated by the Maryland Division of Drug Control, the State unit that regulates pharmaceuticals. SLLEA funding also enables a Maryland State Police investigator to be assigned to the project to assure that law enforcement and regulatory actions are properly coordinated and conducted. In addition, U.S. Drug Enforcement Administration compliance investigators participate in the project to provide a national perspective.

The above examples are typical of the many projects that have been initiated. Interagency cooperation is being developed or enhanced, and, although it may be difficult to quantify at this time, arrest and seizure statistics have clearly been increasing.

Efforts have also been made to obtain drug supply reduction assistance from agencies that may not have law enforcement missions. For example, arrangements were made for the DEA to provide training for Maryland National Guard pilots to enable them, while flying in support of their guard missions, to recognize and identify fields of cultivated marijuana, and then to notify law enforcement officials of these locations. Although still in its infancy, it appears that this program will be most productive.

To further enhance Maryland's various drug control initiatives, Governor William Donald Schaefer established drug control as a priority for his administration and personally took action to establish a Middle Atlantic Governors' Conference on Drug and Alcohol Abuse. He hosted the initial planning conference on March 9-11, 1988, in which seven states and the District of Columbia participated. The goal is the creation of a regional agreement, at the highest executive level, to promote multi-jurisdictional cooperation in all matters pertaining to drug trafficking and drug and alcohol abuse within the Middle

Atlantic Region. All facets of the problem are being considered for regional initiatives - law enforcement issues, treatment issues, and prevention issues. Common problems are being identified and prioritized subsequent to the development of appropriate action plans and implementation procedures.

### SECTION III: RESOURCE NEEDS

#### Resource Gaps Affecting Drug Supply Reduction

A primary requirement for conducting and maintaining a meaningful drug supply reduction program is having an appropriate strategy. For the most part, the development of a drug supply reduction strategy takes into consideration the funds available for its support. Maryland's strategy, which was based on an expectation of three years of level funding support, has been made less meaningful by a major reduction of second year SLLEA funding and uncertainty about the availability of such funds in the third year of the program.

A critical gap in the state supply reduction program, one affected by both funding deficiencies and the State's inability to fully anticipate and plan for the impact of this national drug crisis on state resources, has to do with deterrence. Through improved cooperation and coordination among law enforcement/prosecution personnel, more seizures and apprehensions are occurring. In fact, looked at simply from the narrow viewpoint of arrest and seizure statistics, apprehension and prosecution programs must be deemed highly successful. A systemic breakdown occurs, however, as a result of the criminal justice system's inability to exact an appropriate cost from those drug violators who have been arrested/convicted. Court backlogs and crowded prisons serve to keep drug violators out of prison and on the streets, where they continue to deal in drugs and serve, by example, as positive reinforcement to the drug dealing community. Clearly, more prisons are needed along with more funds to operate them. Without them, increased apprehensions/prosecutions offer little in the way of meaningful deterrence.

Within the criminal justice system, there are drug treatment programs for drug habituated and drug prone prisoners. They are costly, and, according to some treatment experts, the cost/benefit ratio of some may be too high to justify. There is also a likelihood that some treatment methodologies are drug specific and may not be of value when used to treat those who have been using drugs such as crack or PCP. In some cases, it is possible that only long-term institutional care can make a difference. Such treatment requires fiscal resources beyond that which the state is capable of providing. There is a need to seriously evaluate all relevant treatment programs to identify and maintain only those which offer a realistic likelihood for practical success.

There continues to be an absolute need for a drug intelligence program which provides for the statewide collection, storage, collation and analysis of all drug and drug-related data for strategic and tactical use. Although the August, 1987 State Strategy identified this need, no grant requests were submitted to fund such a program. Now that jurisdictions are becoming more involved in multi-jurisdictional operations and cooperative efforts, they are beginning to express a common need for broad-based support in the area of intelligence gathering and analysis. Sufficient funding is not presently available, however, to adequately support such a program. The Maryland State Police has been upgrading its capability to meet the growing drug information needs of appropriate state and local agencies, and although its intelligence staff has been effectively and productively utilized, available Maryland State Police resources fall far short of what is necessary to seriously provide the services that are desired and needed.

With some notable exceptions, law enforcement is still directing almost all of its apprehension/prosecution resources against individual drug violators rather than against drug enterprises/conspiracies. The failure to take maximum advantage of apprehension/prosecution opportunities is possibly a result of not having the intelligence resources needed to identify such enterprises/conspiracies and not having enough prosecutors who are experienced in or trained to prosecute conspiracy cases. The Maryland State Police hosted a conspiracy training school for drug investigators and, although the investigators were enthusiastic about the aggressive use of Maryland's conspiracy statute, many expressed the opinion that they would not be able to get the prosecutive support that such an effort requires. There is a serious need for a greater prosecutive commitment to use conspiracy, where feasible, to attack and immobilize drug networks. Among the statistical record of every State's Attorneys' Office should be some indictment/conviction data on drug conspirators who were too sophisticated to allow themselves to be readily charged with anything other than conspiracy, including, ideally, some indicted conspirators who reside outside of the county (or the State) where the prosecutor serves. Such a record would show that the prosecutor is aggressively and appropriately using his professional trade-craft and skills to reach out and immobilize important drug entrepreneurs. Successful prosecutive actions of this type become known to participants in other drug enterprises and serve to make them aware of their own vulnerability.

Because drug trafficking networks/enterprises are geographically dispersed, it is cumbersome and restrictive to attack them at only a county-wide level. However, Maryland's current inflexible jurisdictional restrictions complicate any attempt to attack them

on a broader level. To deal effectively with this problem, Maryland needs the ability to conduct state-wide grand juries and have a capability of prosecuting drug networks on a state-wide basis. Anything less results in missed opportunities and reduced impact. As an example, a Maryland State Police investigation was recently concluded which cut across a number of prosecutive jurisdictions. The manner in which the prosecutions must be coordinated resulted in case fragmentation and a loss of control that diminishes the benefits which should accrue from such a well developed, professionally managed and conducted investigation. Artificially "cutting up" a case to allow State's Attorneys to prosecute it in geographically acceptable segments only serves to hide the magnitude and significance of a conspiracy from the presiding judge. A judge's inability to truly visualize an enterprise is, most assuredly, going to be reflected in the sentencing determination.

#### SECTION IV: STRATEGY FOR ADDRESSING THE DRUG ABUSE PROBLEM

The Maryland State Drug Control Strategy appears to be as valid now as it was when presented in August, 1987. Current requirements are in the areas of implementation and maintenance, rather than in change. Elements of the strategy that have not yet been implemented or fully implemented need attention. Portions of the strategy that are now operational require consistent and continual support until they can become established and ongoing. The only aspect of the strategy that has been enhanced is the broad expansion of drug control initiatives beyond Maryland's borders. This is being accomplished through Maryland's participation in the Middle Atlantic Governors' Conference on Drug and Alcohol Abuse.

#### SECTION V: COORDINATION OF DRUG CONTROL EFFORTS

There are no changes or updates to this Section.

**THE MARYLAND STATE DRUG CONTROL STRATEGY**

**AUGUST 1987**

**The Governor's Office of Justice Assistance  
Suite 301, 6776 Reisterstown Road  
Baltimore, Maryland 21215-2347  
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## OVERVIEW OF THE STATE OF MARYLAND

The State of Maryland, with a population of 4.5 million, is the 20th largest state in the Country. Geographically situated in the Mid-Atlantic region and bordered on the north by the Mason-Dixon line and Pennsylvania, Maryland is irregular in shape and almost totally divided east and west by the Chesapeake Bay. The eastern portion of the State is bounded to the east by Delaware and the Atlantic Ocean and to the south by Virginia. The western portion is bounded by West Virginia to the far west, and West Virginia and Virginia to the southwest and south. Much of the western portion of the State is separated from Virginia by the Potomac River, with Washington, D. C. located directly between the two States but having three quarters of its boundaries directly adjacent to Maryland.

Politically, Maryland is divided into 23 independent county jurisdictions and one chartered city with some 148 independent municipalities located within 21 of its 23 counties. Of particular note is Baltimore -- Maryland's popular renaissance city. Located at the upper end of the Chesapeake Bay on the western shore approximately 40 miles northeast of the Nation's capital, Baltimore is the State's largest urban center and a major port city. Located just outside of Baltimore in the direction of Washington, D. C. is Maryland's Baltimore-Washington International Airport.

On the eastern shore Ocean City, located on Maryland's Atlantic coastline, is a major resort city which attracts hundreds of thousands of tourists annually from the mid-Atlantic states and beyond who swell the State's population during the summer months.

Maryland's residents are occupationally diverse. Among them are many agriculturally oriented workers on both the eastern and western shores; watermen who earn their livings from its many waterways and port; blue-collar workers engaged in the manufacturing and building trades; high-tech and service industry employees; professionals and self-employed businessmen; and numerous federal, military, and government contractor personnel who reside in Maryland, yet may travel daily to offices located in Washington, D. C. and Virginia.

Maryland like every other state in the country is facing an increasing drug abuse and trafficking problem which needs to be addressed vigorously and effectively.

## SECTION I: NATURE AND EXTENT OF THE PROBLEM

The Maryland Addictions Services Administration estimates that some 153,610 individuals in Maryland are at risk of becoming dysfunctional, if not already dysfunctional, due to drug abuse. This represents approximately 4.7% of the State's population between the ages of 11 and 65. Of these, 29% are estimated to be female and 24% under the age of 18. Comparisons with results of studies conducted for 1977, 1981 and 1985 reveal a 39% increase in the number of drug abusers from 1977 to 1981 and a 55% increase from 1981 to 1985. Results show that the number of new drug users in 1984 (22,800) was over three times the 1980 figure. The prevalence of total non-opiate abuse is estimated at 102,806, with the prevalence of cocaine abuse alone (which is included in this figure) estimated to be 58,528 individuals. The estimate of opiate abuse is 50,804.

Increased drug use in Maryland is costly. In human terms, it destroys lives and families. It also severely strains our law enforcement, judicial, correctional, treatment, educational, and social services resources and deprives citizens of needed services which have to be diverted in order to address drug and drug-related problems. The illegal traffic in drugs results not only in drug specific crimes; it is a significant contributing factor in crimes of violence and a major contributing factor in monetarily based offenses such as larceny, burglary and theft. In Baltimore City alone, the investigation in 1986 of 240 murders revealed that as many as 80 were drug related.

### Drug Activity

On a statewide basis, clearly the drug of preference is cocaine. Results of a survey of all law enforcement officials indicated overwhelmingly that cocaine has become the new drug of preference throughout the State (from 93 responding agencies, of 66 indicating a change in the drug of preference, 54 indicated cocaine to be the new drug of preference). Likewise, the Baltimore office of the DEA estimates that approximately 60% of its criminal investigative resources are devoted to cocaine trafficking.

Cocaine and marijuana are readily available and in heavy use throughout the state. Cocaine use is dramatically on the increase by an even greater cross-section of the State's population than uses marijuana, which was formerly the drug of preference. PCP, along with cocaine, is a drug of choice through the Baltimore-Washington corridor, along the southern portion of Maryland's western shore, and in two of Maryland's northern counties. Heroin use is significant but isolated. Its use appears to be limited to Baltimore City, areas north and northeast of the City, several small areas on Maryland's rural eastern shore, and in some Maryland communities that adjoin or are in close proximity to Washington, D. C.

"Crack" cocaine, which is a "big city" drug elsewhere, is well established in Maryland. Its use, however, is presently confined to Maryland's more rural areas, on both the eastern and western shores. Methamphetamine is available and popular in Maryland's northeast and in eastern shore resort areas. Most users, however, when given a choice between cocaine and methamphetamine, opt for cocaine. LSD and other similar hallucinogens are currently in limited demand, occasionally surfacing among the campus crowds, eastern shore resort visitors, and young military personnel variously assigned throughout the State. The only other drugs of abuse currently worth noting are prescription drugs which have been stolen or diverted from licit channels or which have been properly prescribed, but abused.

### Production and Source of Supply

The drug problem in Maryland is reflective of the State's unique geography and diverse population. Most of Maryland's supply of illicit drugs is transported into the State. DEA estimates of quantities transported into the State are incomplete as these figures represent only that portion of the State covered by the Baltimore Field Office. Data for the portion of the State which consists of counties surrounding and to the south of Washington, D. C. were not available. However, extensive interviews with DEA and State/local enforcement agencies all support the following:

The large amounts of marijuana and cocaine in Maryland come from numerous and varied sources. Supplies are readily available in both the Baltimore and Washington areas where purchases can be made for personal use or for further distribution. Buyers in northwestern parts of the State are also supplied by sources from the Pittsburgh, Pennsylvania area. Philadelphia sources are among those that serve users/dealers in northeastern Maryland. Some cocaine and marijuana is smuggled directly into Maryland by ship and by plane from outside the United States and relatively small amounts of marijuana are illicitly cultivated at various rural locations within the State. From time to time bales of marijuana have washed up on Maryland shores, indicating that Maryland may serve as an entry point for some large scale smuggling operations. The domestic sources for most of the cocaine used in Maryland appear to be trafficking groups based in Florida or New York.

In the recent past, most of the PCP used in Maryland was clandestinely produced within the State. Maryland, in fact, served as a major production point for dealers and users throughout the United States. Vigorous law enforcement resulted in the diminution of Maryland's standing as a producer state; however, the drug is still actively sought by dealers and users. Although there is still production within Maryland, there is no source of quantitative data on how many labs still exist. It is known, however, that the predominate source of PCP in Maryland is California, and the majority of the PCP flows through wholesalers in Washington, D. C.

Heroin used in Maryland is usually purchased in Baltimore or in Washington, D. C. The two cities have traditionally operated independently, and dealers in each city often have separate sources of supply although most of it appears to come from New York area suppliers. Some heroin is smuggled into Washington, D.C. area airports from outside the U. S. and kilogram quantities of heroin are seized, with some regularity, at Baltimore port facilities. Heroin dealers and users living in the Maryland suburbs of Washington, D.C. purchase their heroin directly from Washington, D.C. sources, and some important Washington, D.C. drug dealers reside in the Maryland suburbs.

Crack cocaine is readily available in Maryland's rural agricultural areas. The primary dealers are migrant workers who usually acquire the "Crack" in south Florida. Although crack cocaine currently appears to be confined to Maryland's rural agricultural areas, its spread to our urban centers seems inevitable.

Philadelphia is a clandestine production center for methamphetamine; therefore, in Maryland locations which are oriented toward Philadelphia (northeast Maryland and eastern shore Atlantic Ocean resorts) methamphetamine is more readily available and used.

As in any competitive business market or activity, one often finds evidence of the involvement of groups of people bound together by ethnicity, race or interest. The same holds true with regard to Maryland's drug market. In it one can find the involvement of Black groups, "biker" groups, traditional organized crime groups, Hispanic groups, Asian groups, etc. Internationally, nationally and locally, drug supplies are so plentiful and

sources so varied that none of these groups has maintained any long-term vertical control over the market. The removal of any one group from the traffic would, at best, have only a fleeting impact on the market. For example, Maryland's crack cocaine market is currently being stimulated, supplied and dominated by Haitian migrant farm laborers who bring the drug north from Florida. As demand for "crack" increases and spreads, other individuals and groups will most likely step in to satisfy user needs. When this happens, the significance of the Haitian connection will be diminished, while the user market and supplies of "crack" will increase.

### Patterns of Drug Use

Based on a survey of Maryland law enforcement officials, there seems to be little doubt that illegal drug use is escalating. The consensus is clear that the user population is getting younger and younger and, although it is difficult to translate "younger" to school grade specific, illegal drug use seems well entrenched in Maryland's high schools with use in the middle-schools and below becoming more common.

Recent Incidence and Prevalence studies in Maryland estimate a 24% increase between 1981 and 1985 in the prevalence of drug abusers under the age of 18 (from 29,800 to nearly 37,000). In the 1984 Maryland Adolescent Survey, a third of high school seniors and over one-fourth of the 10th graders surveyed reported current use of an illicit drug. Data from the Uniform Crime Reporting Program of the Maryland State Police indicate that 2,776 juveniles were arrested in Maryland for sale or possession of drugs during FY 85, a 6% increase over the previous year. During FY 86, the figure climbed to 2,990, an increase of 10%. In the two-year period from FY 84 to FY 86, adolescent admissions to drug abuse treatment programs increased by 22%. Juvenile Services Agency studies conducted in 1984 revealed that a third of the records of community home and after-care clients and over one-half of the records of institutionalized clients contained references to drug abuse. In a recent survey conducted in two Maryland juvenile institutions, between 70 and 80% of respondents reported use of an illicit drug in the 6 months prior to institutionalization.

One exception to the evidence which indicates that the age of the drug user population is declining in Maryland is that with regard to the heroin user, whose population seems to be aging. This might be explained by the fact that in today's highly competitive society the use of stimulant rather than depressant drugs is more in keeping with today's lifestyle. Another possible explanation is that the "modern" drug user is more likely to be a poly-drug user rather than a drug specific user. The poly-drug user may on occasion include heroin among an array of drugs taken and, while possibly becoming habituated to drug use, is less likely to develop an addiction to (and become a regular volume user of) heroin. The drugs of choice among Maryland's younger population mirror those in general preference throughout the state - cocaine, marijuana, PCP.

Although the evidence that drug abuse among our young population is escalating is most tragic, the prevalence of abuse in all segments of the society should not be ignored or overlooked. This is a problem confronting all age groups from the young to the elderly, all work groups from the farm laborer to the business professional, both sexes and all ethnic and racial groups in rural as well as urban areas.

## SECTION II: CURRENT DRUG CONTROL EFFORTS

### Law Enforcement

In Maryland there are some 75-98 different agencies which have primary responsibility for narcotics control depending on the political jurisdiction involved. The Maryland State Police statutorily has state-wide jurisdiction to enforce State laws but focuses more of its efforts in areas where local enforcement capability is lacking. In early 1987, however, a Narcotics Division was created which will focus the State's law enforcement efforts and spearhead future initiatives aimed at drug control.

Jurisdictionally, Baltimore City has its own police department with city-wide jurisdiction and generally does not involve the State Police in its operations. It has a Narcotics Unit of 111 which operates under its Criminal Investigations Division. Baltimore and Howard Counties which have no independent municipalities within their county boundaries have police departments with county-wide jurisdiction. Both have special Narcotics Units. Anne Arundel, Montgomery and Prince George's Counties also have police departments with county-wide jurisdiction. They also have special narcotics units. However, these departments do not provide law enforcement for all the municipalities within their boundaries. Maryland's other 18 counties are serviced by elected Sheriff's Offices which have county-wide jurisdiction but also may not serve all the municipalities within county boundary lines. Finally, there are 74 municipal police departments in the State with at least 49 having/exercising some degree of narcotic control responsibility.

Throughout the State jurisdictions at all levels of government have begun to focus more and more on the problem of drug trafficking using a number of divergent approaches. A survey of all law enforcement offices in the State indicates that of the 60 jurisdictions responding which have drug control responsibility, 25 have established units of from 1 - 111 devoted solely to the problem of drug control. In conjunction with this there are at least 5 county-wide task forces consisting of state, county and local law enforcement officers working under the coordination of the State's Attorney's Office and one task force in operation for the City of Annapolis. Cooperative federal/state and local drug control efforts are reflected in the following activities.

- o Maryland State Police and police from at least 5 county/city jurisdictions are working full time as part of a U. S. Drug Enforcement Administration (DEA) enforcement group in Baltimore.
- o Representatives from at least 3 Maryland law enforcement departments are working with their Washington, D. C. and Virginia counterparts as part of a DEA enforcement group in Washington, D. C.
- o Several Maryland law enforcement officers and prosecutors have indicated they are working various assignments with the Organized Crime Drug Enforcement Task Force coordinated by an Assistant U.S. Attorney working out of the Office of the U.S. Attorney, Judicial District for Maryland.

Arrest figures from the Maryland State Police Uniform Crime Reporting service show a total of 20,108 narcotic violation arrests were made in the State in 1986. This represents a 2.9% increase over 1985 and a 12.2% increase from 1984 to 1986.

It should be noted that several federal agencies having missions not normally related to drug enforcement have investigators working informally with state and local government



officers to develop evidence against targeted narcotic traffickers. They use intelligence to select and target drug dealers, but develop cases utilizing evidence which may not be drug specific, i.e., firearms violations, tax violations, smuggling violations, etc. These efforts are often quite successful, but may not be reflected in reviewing available controlled substance criminal justice data.

#### Prosecution

Under Maryland law, violations of State drug control statutes can be charged as misdemeanors and/or felonies. Both categories of offense are prosecuted through the office of the local State's Attorney who is an elected official with county-wide jurisdiction or in the case of Baltimore City, city-wide jurisdiction. There are 24 independent State's Attorney's Offices in Maryland.

Maryland also has an Attorney General's Office with State-wide jurisdiction. However, this office currently exercises no drug control responsibility.

In 1986, 26,042 total cases were closed through the various State's Attorney's Offices resulting in 9,221 convictions for drug violations. A survey of State's Attorneys reveals that at least six have specialized units devoted solely to narcotics prosecutions with 11 indicating some degree of involvement with either a federal task force and/or a local task force. Most are involved (to widely varying degrees) in asset seizure and forfeiture but quantitative data is lacking as statistical records are not centralized and record keeping methods (if any) vary.

With regard to drug sample analysis for prosecutorial purposes there are six major crime laboratories in the State. Five of these laboratories serve only their local jurisdiction (Anne Arundel County, Baltimore City, Baltimore County, Montgomery County and Prince George's County). The 6th -- the Maryland State Police Crime Laboratory -- serves not only the State Police but all Maryland law enforcement agencies.

In the last several years, the Maryland State Police Crime Laboratory Division began experiencing backlogs in its drug analyses. These backlogs necessitated greater coordination between prosecutors and crime laboratory administrators to avoid delays that could result in case dismissals. At its peak, the backlog involved approximately 1,700 samples. It is now somewhere between 500-600 samples.

Generally crime laboratories maintain standards of workload at 80 cases per month per forensic chemist with a 30-day turn around for processing. It appears through interviews and written statements that most of the crime laboratories in the state maintain their workloads through the generous use of overtime. However, detailed statistics are currently not available.

#### Corrections

In Maryland individuals who are sentenced to serve in excess of six months are housed in State facilities. At the judge's discretion, however, individuals who are sentenced to serve for 12 months or less may be housed in local jail facilities. Of the 9,221 persons convicted of drug-related offenses in 1986, 1,401 were sentenced to serve their time in a State facility while an almost equal number (1,380) were sentenced to serve their time in a local jail facility.

The State Division of Correction (DOC) operates 20 prison facilities in the State, plus 3 contract pre-release units. Its average daily inmate population has grown 60% in the past six years. In FY 81, the average daily inmate population was 7,856. In FY 86, the average daily inmate population was 12,581. During the next 8 fiscal years, the total DOC population is expected to increase by an additional 9%.

Due to the extraordinary growth of its inmate population, the DOC has experienced serious problems related to crowding within its facilities. This has given rise to a number of legal actions with resultant court orders directing that depopulation take place at various state facilities.

To help relieve overcrowding within the DOC and handle anticipated future detention requirements the Eastern Correctional Institute was just completed. This new medium security facility with an inmate capacity of 1,872 is intended to enable the DOC to meet court-ordered depopulation requirements. In addition, there is a maximum security facility, the Maryland Correctional Adjustment Center, which will hold 300 beds (capacity 405), scheduled for completion in 1-2 years.

There are also local jail facilities in every county jurisdiction and Baltimore City. In FY 86 their combined average daily population was 5,174. Local jails, like state prison facilities, are experiencing growth in inmate populations. For example, in Montgomery County, the confined population has increased more than 15% in the past year with the majority of this increase being directly related to drugs. Currently over 40% of its total sentenced population are individuals classified as serious drug abuse problem cases.

The steady increase in the population of local detention centers has caused all Maryland counties to become involved in completing or planning to undertake ambitious construction programs. Renovation and new construction projects by local jurisdictions will increase existing inmate bed capacity from 6,227 to 7,815 by 1990.

#### Juvenile

Juvenile offenders (18 years of age or younger) who are arrested and adjudicated delinquent come under the broad control of the Maryland Juvenile Services Agency (JSA). Such juveniles are assigned to a community based program or to an institutional program. Those placed in an institutional program will be sent to the Charles H. Hickey School, the Montrose School, or to one of seven youth centers. Residents of the youth centers are boys, 16 to 18 years of age, who are sufficiently verbal to enable them to benefit from group interaction. The Montrose School receives younger boys, 15 years of age and under, and all juvenile girls. Residents of the Charles H. Hickey School are boys, 16 to 18 years of age, who generally require special conditions of commitment. The approximate population at the youth centers, the Montrose and the Hickey schools are respectively 234, 210, and 348 juveniles. Community based programs are conducted in group homes where JSA has contracted for bed space on a per child basis.

It is of particular interest that in a recent seven-month period, 110 juveniles were tested upon commitment at Montrose and 65% were determined to have some drug problem.

#### Treatment

The Addictions Services Administration (ASA), an agency of the Maryland Department of Health and Mental Hygiene, is responsible for drug abuse prevention and treatment programs within the State. ASA is a funding organization and is not directly operational in the

provision of treatment services. It conducts three activities in support of its treatment mandate: 1) It certifies providers of treatment programs; 2) It funds treatment programs for providers that have received certification; and 3) It monitors treatment programs to assure compliance with certification requirements. Funding is provided to both public and private agencies with the majority of funding support going through county health departments or other county government subdivisions that have been identified and designated as the local county substance abuse coordinator or provider. Local governments can accept funding support from ASA, fund their own treatment programs, or seek other alternative funding. All treatment programs, however, require ASA certification.

Across the State there are currently at least 116 programs identified with a static capacity of 6,375 serving some 17,832 client annually. These include both private programs which serve the public who can afford to pay for their services and state or federally funded programs which serve the public regardless of ability to pay.

### Criminal Justice

According to the Maryland Department of Public Safety and Correctional Services, 56% of all new court commitments to the Division of Correction (DOC) in FY 86 came from Baltimore City. Prince George's County and Baltimore County accounted for 10% and 9% respectively. Over the past 5 years, the commitment rate from these three jurisdictions has remained relatively constant. In a study designed to estimate the prevalence of "opiate, nonopiate and cocaine" use in Maryland for calendar 1985, these same subdivisions, and in the same order, had the largest populations of estimated drug users. Of the 153,610 Maryland residents estimated to abuse drugs, 60,700, 22,074, and 19,563 are estimated to live in Baltimore City, Prince George's County and Baltimore County respectively. From FY 82 to FY 86, approximately 98% of all admissions were tested for substance abuse. Approximately 77% of the females tested and approximately 65% of the males tested positive for drug abuse.

Of the 116 programs in Maryland providing treatment services for drug abusers, only 11 specifically designate services provided to clients who are incarcerated. In FY 1986, 6,964 criminal justice clients were referred through the courts to various treatment programs for drug abuse.

Within the Division of Correction, treatment of substance abusers is provided through an interagency agreement between the DOC and the Addictions Services Administration. Substance abuse treatment services are funded by ASA and provided by Junction Bridge, Inc., a private, not for profit contractor. Substance abuse treatment is furnished at three stages.

- o "Beginning Stage" - 5-7 weeks long. It is provided when incarceration begins and is designed to help the addict/abuser get ready to do "hard time". (Stage 1)
- o "Long Cycle" - 24 weeks long. This program is intended to serve the needs of former addicts. It is provided 12 to 18 months prior to release. It is designed to help the inmate prepare for release by providing training in job readiness, decision making, counseling, GED training and stress management. (Stage 2)
- o "Short Cycle" - 10 weeks long. This program is intended to serve the needs of former abusers (as opposed to addicts). It is conducted two night per week in sessions of 1½ hours. It provides training in preparing for work, decision making and group counseling. (Stage 2)

- o "Topics and Coping" - This program is provided to offenders in pre-release units. It covers 13 weeks and addresses the issues which confront an offender after release. (Stage 3)

Junction Bridge, Inc. services approximately 4,000 individuals annually through the 3 stages of treatment referenced above. Current estimates of inmates accessed are as follows:

|                                                                             |       |
|-----------------------------------------------------------------------------|-------|
| At Admission: Identification, Assessment and Referral - Stabilization Phase | 4,925 |
| Maintenance Phase                                                           | 140   |
| Re-Entry Phase                                                              | 1,690 |
| Pre-Release Phase                                                           | 1,100 |
| Total Accessed                                                              | 9,145 |
| Treated                                                                     | 4,220 |

In addition to the Junction Bridge, Inc. programs, an EDR (evaluation, diagnosis and referral) program is conducted as a cooperative effort between the ASA and the Maryland Division of Parole and Probation. The purpose of the EDR program is to evaluate each parolee or probationer having special conditions for substance abuse treatment, to determine to which program the parolee or probationer should be assigned, and to refer the parolee or probationer to a program where face-to-face contact will occur within 72 hours of referral. The EDR program annually serves about 7,500 - 8,000 convicted offenders.

Until recently no treatment programs existed within the DOC for drug abusers/addicts held for short term incarceration. A short term offender program (STOP) was just initiated to address this need. It consists of 2 group sessions per week for a period of 8 weeks. It includes preparation for employment, preparation for release, stress reduction, and substance abuse decision making. It will serve about 700 individuals annually.

#### Juvenile Justice

No drug treatment programs are conducted at any of the 7 youth centers where juvenile offenders are committed. A Junction Bridge, Inc. program and a substance abuse group program are in effect at the Charles H. Hickey School and group and individual treatment are conducted at Montrose. If it is determined that a resident of one of the youth centers has a drug related problem, he is transferred to a facility where treatment is offered.

Private treatment programs are purchased on a per child basis at one of several group homes where such services are offered.

### SECTION III: RESOURCE NEEDS

#### Law Enforcement

Law enforcement is traditionally looked upon as the first line of defense against illegal activity. Increasing population and extensive development coupled with an increased crime rate throughout the State have strained law enforcement efforts by causing many departments to step up patrol activity at the expense of investigation. Many jurisdictions report increased drug activity but have inadequate resources to investigate and develop cases. In some instances, statistical evidence of drug activity is declining while intelligence data indicates increased trafficking and use. Law enforcement officials throughout the State acknowledge the need to focus on the drug trafficking problem but in many cases they lack sufficient fiscal resources to address this problem. Of some 60 agencies in the State with narcotics control responsibility less than one-half (25) have been able to establish units of at least one officer dedicated to the drug control problem.

In general, it is fair to say that police agencies throughout the State are understaffed and need additional personnel who are available and who possess drug expertise. Some jurisdictions have resorted to using temporary and part-time investigators as fiscal constraints permit with some notable results. This indicates that well utilized, additional resources can provide increases in arrests and prosecutions, drug removals, and forfeitures.

To make the most of limited resources, drug enforcement personnel must learn to work more effectively. Resources will never be limitless so it is important for law enforcement agencies to coordinate their efforts in cooperative arrangements which will maximize their resources and avoid duplicative efforts. They need to focus on targets (individuals, organizations, places, situations) that have been determined to offer maximum drug control benefits. Examples might be: 1) a task force operation directed at crack cocaine trafficking in areas where local law enforcement resources alone are not sufficient to deal with the problem, 2) an intensified state/county highway drug interdiction program designed to obtain and develop intelligence for initiating and expanding criminal investigations, 3) a special effort to rid an area of concentrated street level drug activity, or 4) an investigation focused on a major violator or on an important drug trafficking organization.

Having quality intelligence and the capability to analyze it is critical for the proper selection of enforcement targets. The strategies for dealing with such targets, however, must be designed to offer long-term drug control benefits rather than just arrest and seizure statistics generated through a production oriented case management system.

The Maryland State Police, which has major highway patrol responsibility, has statewide jurisdiction for drug law enforcement. Of necessity, their drug expertise is devoted mostly to working in those geographic areas where local resources are most limited. This means they are relatively inactive in the critical Baltimore-Washington corridor where significant drug activity takes place but where local police agencies are more highly trained and better staffed and equipped than elsewhere. Not being in full active receipt of intelligence from this area leaves intelligence gaps which add to the difficulty of statewide strategic and tactical drug enforcement targeting and planning. Some State's Attorneys, in responding to a survey, indicate similar problems at the county level. It also appears that data sharing between counties can be greatly improved, as well as information flow within single departments.

The need for a broad flow of operational intelligence cannot be overemphasized. It would clearly be of value for a law enforcement organization to know who, outside of its



jurisdiction, is responsible for supplying drugs to dealers and users within its jurisdiction. Armed with such information, evidence might be developed which, when shared with authorities where the source is based, could enable the source to be charged and prosecuted.

To obtain quality intelligence, law enforcement officers must be encouraged to routinely and consistently debrief their sources of information. These debriefings should include questions which go beyond instant case interest or areas of geographical jurisdiction. Investigators need to develop a complete picture of the drug trafficking universe that affects their territory, even if the picture they develop involves individuals and activity beyond their apparent authoritative reach. Potentially actionable intelligence should be passed on and shared and police administrators should recognize and reward those officers who develop and share intelligence or evidence which results in successful police actions elsewhere. Good drug law enforcement requires a free flow of quality intelligence and intelligence for law enforcement targeting is a resource in short supply.

In addition to more personnel, better coordination and cooperation and better intelligence efforts, state law enforcement agencies need operating funds for purchasing evidence and information, and for training in both basic and technical case making techniques and skills. They also need equipment which, unlike the universal resource needs so far enumerated, are more reflective of individual departmental priorities and projects. This equipment may include surveillance vehicles, computers for case managements, specialized investigative equipment, drug identification kits, etc.

In some instances agencies also require separate secure facilities to house drug enforcement personnel where they can function in privacy and meet with sources of information.

There is a continuing need for data, both strategic and statistical, through the state drug control community. Such data should flow to a central analytical source from throughout the system. It can be used to assess needs, to establish priorities, to measure accomplishments, to determine trends, etc. Much of the presently available information is of limited value and improvements in the way in which it is collected and categorized will be required. For example, the Maryland State Police report drug arrests by categorizing the drug involved in the arrest. A major category, however, is "Opium or Cocaine Derivatives", too broad to be of much significance or use.

Throughout the State there are many law enforcement/regulatory organizations whose personnel have no pro-active drug control responsibilities but whose work requires the recruitment and maintenance of sources of information. Such organizations can make important contributions to the State drug supply reduction program and should be encouraged to be alert for drug trafficking information, to sometimes solicit it, and to pass it on as appropriate. Typical of such an organization is the Natural Resources Police Force.

### Prosecution

Widespread drug use and trafficking have resulted in an increase in arrests for controlled substance violations. These arrests, in turn, add to the prosecutorial burden and contribute to situations which sometimes result in inadequate investigative and case follow-up support and unnecessary declinations.

Drug dealers and users engage in a consistent and continual pattern of illegal activity. The nature of drug trafficking mandates that participants engage in repetitive violations of the law over an extended period of time. Drug dealers and users violate the law each time they buy, process, transfer, or conspire and in the course of such activity, they become

criminally involved over time with numerous other drug law violators. This fact offers exploitable opportunities. The acquiring of prosecutable evidence against a drug law violator could be looked upon as the time to initiate and expand an investigation, rather than the time to conclude one. A drug dealer who can be induced to cooperate can provide invaluable information and evidence for identifying, implicating and prosecuting others. It takes time and effort to develop such cooperation, but it is almost always worth it. Central to the success of such an effort is the support of an involved prosecutor who is experienced and adept at using his authority as leverage to help to develop new leads and evidence. Unfortunately, both in terms of manpower and training, such prosecutive resources are lacking throughout the State. Many State's Attorneys, in response to a written request for information, claimed inadequate resources for full prosecutive or investigative support. This problem appears more acute in less populated counties.

Of 24 prosecutorial offices in the State only 6 (or 1/4) indicated an ability to devote sufficient manpower resources to establish special narcotic units although 11 have indicated some degree of involvement in task force operations.

In some areas of the State, serious drug trafficking problems have emerged at a time of significantly increasing residential/commercial growth, necessitating that law enforcement and prosecutive personnel divert resources away from the drug problem. This latter situation is particularly grievous where the primary drug involved is crack cocaine (highly habituating) and no law enforcement agency or prosecutor has adequate resources to deal with the problem. In responding to a survey, one State's Attorney from a county that is turning from rural to residential, described the situation as follows:

With its proximity to urban areas and the increase in population and business in the county, an increase in drug abuse is being seen. With anticipated rapid growth in the county in the near future, it is also anticipated that the drug problem will increase commensurate with the growth and population. At the present time, there is no centralized authority in...the county...charged with the handling of drug cases. They are handled in an inefficient fragmented fashion with different departments involved with no sharing of intelligence, which is vital in successfully combating the increase in drug cases. Additionally, the police agencies...lack personnel with ...drug expertise, and do not have a single expert in the field in the state's attorney's office available to assist them.

Additional prosecutors are needed. Aside from State's Attorneys who have county-wide jurisdiction, no effective statewide prosecution capability exists to address geographically dispersed drug conspiracies. Commensurate with an increase in prosecutorial personnel is a need for their training - especially as it regards to use of unique and sophisticated case making and prosecution techniques. The failure to use such techniques is evidenced in part by a general lack of conspiracy prosecutions designed to reach out and charge those drug traffickers who are too insulated to be prosecuted for substantive violations. Prosecutors also need training in how to develop and expand an investigation in order to identify and prosecute all cognizant participants in a drug enterprise. They must learn to "think" beyond the confines of their immediate jurisdictions and to stimulate their investigators to do the same. It seems a reasonable prosecutive goal might be to obtain indictments against important conspirators who reside at and operate from points outside the immediate investigative area. A recently expanded conspiracy statute may be a positive inducement. Easier and better implementation of search warrant and forfeiture laws could encourage their greater use.

Like law enforcement agencies prosecutors need to maximize their resources and participate in cooperative multi-jurisdictional multi-agency efforts to coordinate and manage caseloads and target investigations.

Another critical resource need for effective prosecution of drug offenders is timely and accurate drug analysis. As apprehensions/arrests increase, crime laboratory performance must keep pace with the increasing workload. Because it takes from 1-2 years to train a forensic chemist to test samples and testify in court, it is imperative that sufficient manpower resources be anticipated and adequate lead time be incorporated into any projections for increases in workload. Overtime cannot do the job over the long run. Resignations, leaves, retirements, turnovers cannot always be anticipated but they must be expected and planned for. Adequate personnel and state-of-the-art equipment are needed to maintain the standards of timeliness and decrease current backlogs which jeopardize the successful prosecution of drug offenders already arrested and awaiting prosecution.

### Corrections

Jail/Prison overcrowding is a statewide problem which is further impacted by the drug control problem. In June 1987, one of the state's larger and more densely populated counties was forced to authorize \$615,000 for additional guards and improvements at its county jail facility. This unscheduled expenditure became necessary because "drug crackdowns" and other law enforcement programs had contributed to an increase of nearly 15% in the inmate population. It is clear that increased apprehensions and prosecutions on a statewide basis will have similar effects on inmate populations throughout the State. An overcrowded prison does, of necessity, influence sentencing policy. For example, in calendar year 1985, 5,939 out of 6,337 drug offense convictions resulted in "probation only" sentences. Such sentences can serve to reinforce many drug dealers by signaling to them that the price for dealing in drugs may be cheap in comparison to the benefits.

The negative input of prison overcrowding is one more reason why it is essential to be selective in identifying and targeting apprehension programs and why alternative methodologies for dealing with drug use and trafficking should be explored and tested. Sufficient resources devoted to treatment and social service programs within all facets of the criminal justice system can help to reduce recidivism and, therefore, provide better management and numerical control of the prison population.

The Maryland Division of Correction (DOC) is recommending and implementing various activities for controlling its prison population. They include:

- o Supporting legislation to raise the sentencing threshold to enable those prisoners sentenced to serve longer periods of incarceration (12 months or 18 months) to be housed in local facilities, rather than in State facilities. At present, generally only those prisoners sentenced to six months or less serve their time in local facilities.
- o Improving program planning to enable the DOC to ensure that inmates are prepared for release at the time of their parole hearings. If the inmate's program needs have been met, delayed parole release can be avoided.
- o Supporting an amendment that would expand the list of offenses that could qualify an inmate for extended work release.
- o Activating and operating a new medium security State institution which should relieve present inmate population problems and enable the DOC to begin complying with court-ordered depopulation requirements. Accelerated apprehension and prosecution programs could, however, thwart efforts to reduce inmate crowding.

### Juvenile

Correctional facilities for juveniles, like similar facilities for adults, have problems associated with overcrowding. The Charles H. Hickey School and the Montrose School currently suffer from excess populations. The problem is exacerbated by the need to accept juveniles who temporarily come under State custody for other than commitment purposes. The problem is recognized, and consistent depopulation efforts are in effect. As soon as practical, residents of high population facilities are transferred out of the system or to less crowded public and private facilities.

With the restructuring of the Juvenile Services Agency this year, all programs and facilities will be receiving careful review and there will be development of new initiatives to address resource needs in this area.

### Treatment

By the end of State FY 87, the Addictions Services Administration will be reaching approximately 25,000 individuals annually through the various treatment programs it funds; but with estimates that as many as 153,610 individuals in Maryland are at risk of becoming dysfunctional due to drug abuse, its resources are clearly not currently adequate. Although exact figures are not available there are currently waiting lists and service backlogs in too many programs.

The Addictions Services Administration has developed a three-year initiative plan that addresses its anticipated needs. A priority of this three-year initiative will be enhanced adolescent services. Continued Federal/State support for all programs is anticipated and should be available.

The Maryland Health Resources Planning Commission is responsible for issuing a Certificate of Need prior to any additional hospital and intermediate treatment care beds being established. The process is sometimes cumbersome and time consuming and determinations may not reflect the difference between indigent versus private patient needs, thus impacting upon the ASA's ability to fund and put in place treatment beds targeted for the indigent population that the ASA is funded to serve. Improvements in Certificate of Need processing would benefit the treatment program.

### Criminal Justice

There is a significant lack of treatment programs throughout the corrections system (State and local). This is directly attributable to a lack of fiscal resources. Treatment programs for drug offenders are often very costly and even where shown to be effective may not be instituted or expanded due to this lack of sufficient fiscal resources.

Aside from self-help groups, there is currently no maintenance phase program for drug offenders within the DOC although a protocol exists for its establishment.

In local jail facilities there are only a handful of treatment/evaluation programs with no single facility having a comprehensive entry through release program. Additional resources are desperately needed statewide and in every jurisdiction both by the DOC and local facilities to institute and/or expand treatment programs.

### Juvenile Justice

Treatment needs within the juvenile justice system consist primarily of more personnel, more training, and additional equipment for program support.

Group therapy at the Montrose School would benefit from an increase in intensity. Ideally, sessions should be increased from once weekly to three times per week. There is also a perceived need to establish special programs for juveniles who have been dealing but perhaps not abusing drugs. Such efforts would require additional counseling staff.

Continued training of treatment staff is required to enable staff to keep current with state-of-the-art methods and programs. There is also a need to provide training to other operational personnel of the Juvenile Services Agency to sensitize them to the problems associated with substance abuse and to increase their effectiveness in intervention and behavior management. Equipment such as vans and video equipment are needed to transport residents to therapy programs and to add to the quality of group therapy sessions.

Once again, with the restructuring of the Juvenile Services Agency, resource priorities will be completely assessed and new initiatives are anticipated.

### Adequacy of current State Drug Control Laws

- o Under Maryland law, the search warrant and the affidavit prepared in application for the search warrant are packaged and provided to the owners/residents/occupants of property being searched. Frequently, important ongoing investigations are jeopardized and subsequently terminated due to uncontrolled dissemination of information contained in the application affidavit for the warrant. Federal law recognizes that a search may only be part of an ongoing investigation and provides for the sealing of the affidavit. Maryland law should be revised to permit the sealing of the application affidavit upon showing good cause for protecting the integrity of an ongoing narcotics investigation.
- o One of the purposes of a grand jury is to obtain facts and to assess criminal culpability. It is a valuable tool and its use often results in documenting the criminal activity of individuals who were initially considered to be only witnesses or resource people. Under Federal law, immunity is not automatically conferred upon individuals summoned to testify before a grand jury. A witness can refuse to testify by invoking his right against self-incrimination. If this right is invoked, the government can elect to confer immunity as a means of compelling testimony. Under Maryland law, everyone who testifies before a grand jury automatically receives immunity. This means that a narcotics dealer who appears before a grand jury can render himself free from prosecution by volunteering details of his criminal activities. It is recommended that Maryland's immunity laws be made more consistent with federal standards by allowing the government to confer immunity only upon those whose testimony it wishes to compel.
- o Article 27, Section 286A of the Annotated Code of Maryland provides for a maximum penalty of 25 years incarceration for smuggling 28 grams or more of cocaine into the State. Today, new and more potent forms of cocaine are available which consist of much less weight and bulk than other less concentrated forms of the drug. To address the change in the technology of the drug, the law must be amended to include cocaine base ("crack" cocaine) in a quantity of 5 grams (approx. 30 vials).
- o Under Article 27, Section 297 of the Annotated Code of Maryland, vehicles used in narcotic activities may be seized. Money in close proximity to the narcotics and



proceeds directly traceable to narcotics violations may also be seized. To make narcotic trafficking less appealing to profit oriented criminals, current law should be changed to permit the seizure and forfeiture of assets from drug dealers where such assets, though not directly traceable to narcotics violations, cannot be shown to have been acquired by legitimate means.

- o Since drug law enforcement creates a significant financial burden for the citizens of Maryland, drug dealers should be made to contribute to its cost by having all proceeds from such seizures and forfeitures go directly to the law enforcement agencies where the seizure or forfeiture arose, for exclusive use in any drug control activity.
- o Current Maryland law provides for a maximum mandatory 10-year sentence, without bail, for a second felony conviction of a controlled substance violation. To deter and dissuade first offenders from continuing to participate in drug trafficking activities, current law should be amended to permit a prior misdemeanor conviction for possession of Schedule I and II drugs (to exclude marijuana), when followed by a felony conviction for a controlled substance violation, to serve as the predicate for the maximum mandatory sentence.
- o Maryland law currently provides a list of factors in setting bail for individuals charged with criminal violations. Maryland law should be amended similarly to federal rules to create a presumption of no bail for individuals charged with felony narcotics violations. It should be stipulated, however, that the arrestee can rebut this presumption by demonstrating why bail should be set in his or her case.
- o Conviction for distribution or possession with the intent to distribute controlled substances to a person under the age of 21 should be a separate felony in addition to that which is enunciated in Title 2 of the Criminal Law Article.
- o Criminal penalties imposed upon any person convicted of distribution or possession with the intent to distribute controlled substances to a minor should provide for minimum as well as maximum fines and/or a prison term.
- o Statutory minimum and maximum fines should be set in amounts which make the cost of distribution of controlled substances to minor prohibitive.
- o Maryland, unlike many other states, does not require a triplicate prescription system to control illegal pharmaceutical distribution. Under such a system, one copy of a prescription would stay with the physician, one would be retained by the pharmacy, and one would be sent to the Maryland Division of Drug Control, the State's regulatory agency, for monitoring. This would help identify physicians and pharmacists who are dispensing inordinate amounts of controlled dangerous substances. Such monitoring, by itself, serves to reduce indiscriminate and abusive dispensing. Legislation should, therefore, be initiated which requires a triplicate prescription system.

#### SECTION IV: STRATEGY FOR ADDRESSING THE DRUG ABUSE PROBLEM

The State drug control strategy is a multi-faceted plan of action that addresses the problems of substance abuse treatment and rehabilitation, prevention and education, and drug law enforcement. It consists of efforts to reduce the supply of drugs and efforts to reduce the demand for drugs. These efforts are supportive of one another; therefore, they will be conducted in a balanced, coordinated fashion.

Drug supply reduction involves all the various activities that serve to reduce the availability of controlled dangerous substances. Drug demand reduction involves all of the various activities that serve to reduce the public's demand for controlled dangerous substances.

To effect reduction of the available supply of controlled dangerous substances, State and local authorities must:

- o Identify and remove from the traffic those individuals and organizations responsible for buying, manufacturing or selling illicit drugs.
- o Locate and seize those stocks of illicit drugs that are available for purchase, manufacture or sale.
- o Identify and obtain forfeiture of those funds and assets derived from the purchase, manufacture or sale of illicit drugs.
- o Establish and improve legislation making it personally and financially prohibitive to purchase, manufacture or sell illicit drugs.

To effect reduction of the public's demand for controlled dangerous substances, State and local authorities must:

- o Establish intervention programs to identify drug users and help them free themselves from the demand for controlled dangerous substances.
- o Provide treatment and counseling for all drug users who require assistance in controlling their demand for dangerous drugs.
- o Conduct education and prevention programs to increase public awareness and information on the dangers of drug abuse, thereby enhancing a general unwillingness to experiment with or risk initial exposure to dangerous drugs.
- o Target education and prevention resources at youth in school not yet engaged in drug use and youth who are at high risk of becoming drug abusers.
- o Obtain community and private sector support and involvement in statewide education and prevention initiatives.

#### Criminal Justice Requirements

Although the State and Local Law Enforcement Assistance Act (SLLEAA) provides financial assistance under the formula grant program for seven (7) legislatively authorized

program purposes, prioritization is necessary to assure that resources are provided where the need is most critical and, therefore, where it is felt the impact on drug control will be the greatest. Within this framework for funding the State's criminal justice drug control needs, the priorities for SLLEAA funding for FFY 1987 are determine to be:

1. Providing additional resources for more widespread apprehension.
2. Providing additional resources for more widespread prosecution (including upgraded and additional crime laboratories).
3. Conducting demonstration programs to expedite the prosecution of major drug offenders.
4. Providing additional public correctional resources to establish and improve treatment and rehabilitative counseling provided to drug dependent persons convicted of violating state and local laws.

Within these priority program areas, the State strategy will seek to impact on drug control by providing additional resources for projects which focus on one or more of the following:

- o Apprehension and/or Prosecution projects that -
  - Enhance asset seizure and forfeiture;
  - Collect, analyze and share case-oriented information and intelligence;
  - Establish intelligence systems that are permanent and ongoing;
  - Establish or enhance cooperative or coordinated law enforcement efforts which are multi-jurisdictional or multi-agency in nature and avoid duplicative efforts;
  - Disrupt or immobilize selected enforcement targets;
  - Upgrade the skills of law enforcement officers/prosecutors; or
  - Establish or upgrade the capacity of crime laboratories to assure timely testing of drug evidence.
- o Major Offender demonstration projects that -
  - Coordinate activities with other law enforcement agencies;
  - Collect, analyze and share information and intelligence;
  - Focus on asset seizure and forfeiture; or
  - Target major multijurisdictional narcotics conspirators.
- o Public Correctional Treatment and Rehabilitation projects that -
  - Provide counseling to drug dependent offenders in State or local detention facilities;

- Provide evaluation, diagnosis and referral for drug dependent offenders who are under the jurisdiction of the criminal justice system; or
- Identify and meet the needs of drug dependent offenders who are in State or local detention facilities or who are under the jurisdiction of the criminal justice system;

In addition to funding additional resources for law enforcement initiatives, the State strategy will seek to encourage those operational improvements which can often be realized simply through the redeployment of existing resources, through better management and coordination, and/or through legislation designed to enhance State drug control efforts.

**SECTION V: COORDINATION OF DRUG CONTROL EFFORTS**

The Governor's Office of Justice Assistance is responsible for monitoring and coordinating the development and conduct of the state drug control strategy. This office will be assisted by the Governor's Advisory Board for Justice Assistance which will function as a drug policy board.

The Governor's Office of Justice Assistance will administer those funds for use in the drug supply reduction effort and the Maryland Department of Health and Mental Hygiene will administer those funds for use in the treatment portion of the drug demand reduction effort. Funds for the education/prevention portion of the drug demand reduction effort will be administered by both the Maryland State Department of Education (70%) and the Governor's Office of Justice Assistance (30%).

The Governor's Office of Justice Assistance, in monitoring and coordinating the development and conduct of the state strategy, and in preparing a program plan of available grant funds, will assure that duplication of effort is avoided and that cooperation is enhanced.

The State drug control strategy is consistent with and supportive of the federal strategy in that it recognizes the need to reduce both the supply of and demand for drugs in a coordinated, balanced approach.

In addition, the State of Maryland, through the Governor's Office of Justice Assistance, has begun to coordinate its strategic activities with the States of New Jersey, Pennsylvania, Delaware and Virginia. Initial steps have been taken to form a multi-state strategy group which will meet on a continuing basis to discuss and coordinate efforts for the mutual benefit of all participants.





THE DISTRICT OF COLUMBIA  
WASHINGTON, D.C. 20004

WAPION BARRY, JR.  
MAYOR

March 31, 1989

William Bennett  
Director  
Office of National Drug  
Control Policy  
White House  
Washington, D.C. 20500

Dear Mr. Bennett:

I am writing to follow up on our meeting on March 14, 1989 and to submit this request for federal assistance in the District's efforts to combat the drug and violence problems that currently exist in our city. While this request is comprehensive, and involves \$102,018,225 million in additional funds, the emergent needs evolve around efforts that are already underway to increase arrests of people who openly sell drugs on the streets. The resulting increase in arrestees will create an added burden on our overcrowded corrections facilities. I will need your help in obtaining direct and indirect assistance from the federal government on both an emergency and a permanent basis. The primary emergency request is for 1500 bed spaces, to be provided on an immediate basis, by the Federal Bureau of Prisons.

Provision of the additional prison beds will enable us to assure continued operation of our prisons in an acceptable manner and will send a clear message to criminals that the District of Columbia will be relentless in efforts to rid the streets of law violators.

At meetings with you and your staff, we have discussed some of the programs that have already been implemented in the District, such as assets seizure and forfeiture efforts and prevention and treatment programs operated out of public housing facilities. These programs are supplementary to the more routine criminal justice and treatment programs. Unfortunately, the District's drug problem has not abated, and the demand for criminal justice and treatment resources has increased dramatically.

- 2 -

The District began to experience increases in reported crimes in 1986, after a five year decline. Many of these crimes were drug-related.

We responded by arresting, prosecuting and incarcerating people at an unprecedented rate. Many of these people were apprehended in Operation Cleansweep, a special law enforcement initiative that resulted in over 46,000 arrests over the past two and one half years. The result has been a burgeoning overload on other parts of the criminal justice system with court calendars, jail and prison spaces filled beyond capacity.

Currently, the District has approximately 2,000 inmates in federal prisons and an additional 705 in different state prisons throughout the country. Court orders regarding prison conditions, including inmate capacity limitations, coupled with community opposition to construction of new facilities, have severely limited our ability to expand institutional capacity commensurate with the growing need. Therefore, the authority of your office can be most useful by serving as a catalyst for the District to expand prison capacity as well as receive resources to enhance interdiction, adjudicatory and other demand reduction efforts.

However, I am sure that you will agree that it is critical that additional resources made available through the authority of your office be used in the most efficient and effective possible manner. To ensure that this occurs, we initiated an expedited, systemic review of our current programs and anti-drug operations to assess where additional resources might best be applied. The enclosed request package reflects realistic, action-oriented program enhancements that are needed for immediate containment and reduction of the violence associated with the sale and use of drugs, especially crack cocaine.

Due to the dynamic nature of the drug problem and the consequent need for frequent modification of intervention techniques for both supply and demand reduction, I do not submit this request as an exhaustive list of everything that is needed. Rather, it contains what is minimally required in the current environment for efficient processing, incarceration and treatment of the large number of people who commit crimes as a result of drug involvement.

Although we are requesting that you facilitate the immediate availability of additional federal resources to assist with prison space needs, the bulk of this request is directed at the fundamental need for an increased federal payment that will enable the District to hire additional police, judges, corrections, probation and parole officers and will increase our capacity to provide secure confinement and, when warranted, treatment, for criminals who use drugs.

- 3 -

An additional \$102,018,225 million in federal payment to the District is needed, on an annual basis, to fund these enhancements to basic public safety services.

The amount of the federal payment to the District has declined over the past several years, from almost 19 percent of appropriated revenue in 1979 to about 15 percent currently. This decline has resulted in actual revenue loss of \$100 million. That decline, compounded by a parallel decline in federal grants and rapid growth in the need for public safety services, has created a situation where a massive infusion of resources is absolutely essential to realizing a reduction in crime and violence.

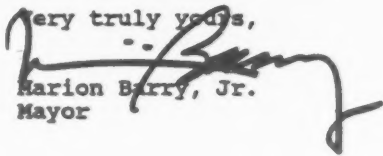
It should be noted that this request does not include additional resources needed by our local prosecutor, the U.S. Attorney for the District of Columbia. It would be helpful, however, if the influence of your office would be supportive of any requests that office may submit through appropriate channels within the Department of Justice.

Perhaps I should also mention that this request does not contain provisions for additional drug inpatient treatment beds. We are currently reviewing the appropriateness of expanding our present inpatient capacity by using Forest Haven, a facility we already operate that is located in Maryland. If this is not feasible, I will then submit a revision to this request and ask that military bases be made available to us for additional inpatient drug treatment.

I cannot over-emphasize the importance of coordinating any resources facilitated by your office through the local government. Increasing the federal payment is the most rational way to reap optimal benefits from additional resources you make available to us. As your staff reviews this package, please ask them to direct their questions to Carol Thompson, City Administrator/Deputy Mayor for Operations who can be reached at 727-6053.

Again, thank you for your offer of assistance. As I have stated previously, national policies that stem the flow of illegal drugs into our country, coupled with truly effective prevention programs, are necessary to solve the drug problem. However, cities such as the District of Columbia, which are experiencing an unprecedented influx of drugs, need immediate help. We look forward to working with you in combatting this terrible problem facing our city and country.

Very truly yours,

  
Marion Barry, Jr.  
Mayor

# Containment and Eradication of Drug Abuse and Violent Crime

A Comprehensive Request for  
Increased Federal Support

Submitted by:  
The Government of  
The District of Columbia

Marion Barry, Jr., Mayor

March 31, 1989



THE DISTRICT OF COLUMBIA  
WASHINGTON, D.C. 20004

MARION BARRY, JR.  
MAYOR

William Bennett  
Director  
Office of National Drug  
Control Policy  
White House  
Washington, D.C. 20500

Dear Mr. Bennett:

I am writing to follow up on our meeting on March 14, 1989 and to submit this request for federal assistance in the District's efforts to combat the drug and violence problems that currently exist in our city. While this request is comprehensive, and involves \$102,018,225 million in additional funds, the emergent needs evolve around efforts that are already underway to increase arrests of people who openly sell drugs on the streets. The resulting increase in arrestees will create an added burden on our overcrowded corrections facilities. I will need your help in obtaining direct and indirect assistance from the federal government on both an emergency and a permanent basis. The primary emergency request is for 1500 bed spaces, to be provided on an immediate basis, by the Federal Bureau of Prisons.

Provision of the additional prison beds will enable us to assure continued operation of our prisons in an acceptable manner and will send a clear message to criminals that the District of Columbia will be relentless in efforts to rid the streets of law violators.

At meetings with you and your staff, we have discussed some of the programs that have already been implemented in the District, such as assets seizure and forfeiture efforts and prevention and treatment programs operated out of public housing facilities. These programs are supplementary to the more routine criminal justice and treatment programs. Unfortunately, the District's drug problem has not abated, and the demand for criminal justice and treatment resources has increased dramatically.



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The District began to experience increases in reported crimes in 1986, after a five year decline. Many of these crimes were drug-related.

We responded by arresting, prosecuting and incarcerating people at an unprecedented rate. Many of these people were apprehended in Operation Cleansweep, a special law enforcement initiative that resulted in over 46,000 arrests over the past two and one half years. The result has been a burgeoning overload on other parts of the criminal justice system with court calendars, jail and prison spaces filled beyond capacity.

Currently, the District has approximately 2,000 inmates in federal prisons and an additional 705 in different state prisons throughout the country. Court orders regarding prison conditions, including inmate capacity limitations, coupled with community opposition to construction of new facilities, have severely limited our ability to expand institutional capacity commensurate with the growing need. Therefore, the authority of your office can be most useful by serving as a catalyst for the District to expand prison capacity as well as receive resources to enhance interdiction, adjudicatory and other demand reduction efforts.

However, I am sure that you will agree that it is critical that additional resources made available through the authority of your office be used in the most efficient and effective possible manner. To ensure that this occurs, we initiated an expedited, systemic review of our current programs and anti-drug operations to assess where additional resources might best be applied. The enclosed request package reflects realistic, action-oriented program enhancements that are needed for immediate containment and reduction of the violence associated with the sale and use of drugs, especially crack cocaine.

Due to the dynamic nature of the drug problem and the consequent need for frequent modification of intervention techniques for both supply and demand reduction, I do not submit this request as an exhaustive list of everything that is needed. Rather, it contains what is minimally required in the current environment for efficient processing, incarceration and treatment of the large number of people who commit crimes as a result of drug involvement.

Although we are requesting that you facilitate the immediate availability of additional federal resources to assist with prison space needs, the bulk of this request is directed at the fundamental need for an increased federal payment that will enable the District to hire additional police, judges, corrections, probation and parole officers and will increase our capacity to provide secure confinement and, when warranted, treatment, for criminals who use drugs.

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An additional \$102,018,225 million in federal payment to the District is needed, on an annual basis, to fund these enhancements to basic public safety services.

The amount of the federal payment to the District has declined over the past several years, from almost 19 percent of appropriated revenue in 1979 to about 15 percent currently. This decline has resulted in actual revenue loss of \$100 million. That decline, compounded by a parallel decline in federal grants and rapid growth in the need for public safety services, has created a situation where a massive infusion of resources is absolutely essential to realizing a reduction in crime and violence.

It should be noted that this request does not include additional resources needed by our local prosecutor, the U.S. Attorney for the District of Columbia. It would be helpful, however, if the influence of your office would be supportive of any requests that office may submit through appropriate channels within the Department of Justice.

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Mayor

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**PROBLEM STATEMENT**

## STATEMENT OF THE PROBLEM

The problems associated with drugs in the District of Columbia have worsened dramatically over the last few years, despite a heavy infusion of law enforcement, treatment, and prevention efforts designed to combat drugs. The District has reacted to the drug crisis by consistently making more drug arrests per capita than any other city in the nation. In addition, over six million dollars in property and cash has been seized from drug dealers over the past two years. Both prosecutions and convictions for drug offenses have increased in response to this enforcement activity. Despite these massive efforts, however, the District remains overwhelmed by drug activity.

The availability of drugs has risen dramatically over the past few years. Prices of all major drugs have fallen, while their purity levels have increased. For instance, the price of cocaine has dropped by approximately 25 percent since 1984, while its purity level has doubled. This phenomenon of "more bang for the buck" allows people who were previously unable to afford drugs to purchase drugs freely.

Emergency room drug mentions have risen 109 percent in the Washington area since 1985. While most of these incidents are attributable to PCP, an increasing number involve cocaine. Overdose deaths in the District have also risen significantly, from 155 in 1985 to 191 in 1988. Cocaine overdoses doubled between 1987 and 1988. Another disturbing trend in narcotic deaths over the past few years is the increase of "speedballing", a lethal combination of heroin and cocaine. In 1985, speedballing contributed to four deaths, while in 1988 the number was 48.

Drug testing of adult arrestees reveals that a large percentage, approximately two-thirds, tests positive for at least one drug at the time of arrest. Over 90 percent of these positive results are attributable to cocaine use. Testing of juvenile arrestees reveals that 24 percent are drug users and 78 percent of juveniles testing positive are on cocaine.

Homicide in the District is now almost exclusively attributable to the drug problem. In 1985, 21 percent of homicides were drug-related. In 1988, the percentage jumped to 80 percent. Current statistics for 1989 suggest that the trend is increasing.

These statistics are revealing when considered in light of new evidence that crack, a drug whose use has reached epidemic proportions in the District, often creates violent behavior in its users. The enormous rise in drug-related homicides in the



District parallels the increase in the availability of crack cocaine in our community. It is critical that law enforcement, treatment, and prevention efforts result in more effective ways to combat this insidious substance and the havoc that it is creating. We urgently need and request federal assistance in this effort.

**STATEMENT OF PHILOSOPHY**

## DRUG ABUSE IS A NATIONAL PROBLEM

The number one problem facing our nation today is drug abuse and the violence associated with it. It has been estimated that about 37 million Americans have used illegal drugs in the past year, spending more than 110 billion dollars. The estimated total annual cost to American society through decreased economic productivity, unemployment, increased health and social welfare costs, law enforcement, and associated costs of criminal trafficking of drugs amounts to more than 136 billion dollars.

Illicit drugs are having deleterious effects on both the nation's criminal justice and health care systems. According to the federal government, over one-third of the nation's recently convicted prisoners are imprisoned for drug offenses, and drugs are the primary reason that the nation's prison population has surpassed 600,000 persons.

Drug abuse and drug-related violence have also greatly strained the nation's health care systems. Hospital emergency rooms are increasingly required to respond to drug overdoses and to treat multiple gun shot wounds resulting from drug-related violence. In addition, recent studies indicate that the rapid spread of the AIDS virus is largely attributable to sexual activity in "crack houses" and "shooting galleries".

The nation's drug problem has been greatly compounded in recent years by the escalating use of crack cocaine. This new, more quickly addictive form of cocaine began to emerge in 1985.

Today, the popularity of the drug has spread at an alarming rate. From 1985 to 1987, hospital emergency room mentions for cocaine increased 26 percent, while cocaine overdose deaths nearly doubled from 1984 to 1987. In addition, because of its highly-addictive qualities and a feeling of "invincibility" created by this drug, law enforcement officials believe that its widespread use has spurred increases in robbery, burglary, larceny and murder.

IN THE DISTRICT OF COLUMBIA, DRUG ABUSE  
IS THE CAUSE OF MOST VIOLENT CRIME

The drug problem in the District, and in its metropolitan area, mirrors that found in the rest of the nation. Cocaine has emerged as the drug of choice in this region, and the demand for this drug has resulted in the proliferation of highly profitable open air drug markets throughout the area. The insatiable appetite shown by residents of this area for cocaine and the money spent for this drug are the driving forces behind the illicit drug trade and its attendant violence. The competition for drug dollars and control of lucrative markets often results in violence and has triggered the rapid rise in homicides in the District and its neighboring jurisdictions.

From 1984 to 1988, adult drug arrests increased nine percent, from 7,827 to 8,505, and juvenile drug arrests rose 200 percent, from 635 to 1,910. The average number of adult drug arrests over the five year period is 9,585. Of particular importance is the shift in focus of juvenile drug activity from

possession to sales. Eighty-seven percent (1,657) of juvenile drug arrests in 1988 resulted from the sale of drugs. Moreover, since August of 1986, over 46,000 arrests have been made by Operation Cleansweep, a law enforcement program directed at street sales.

A majority of persons arrested for crimes also uses drugs. Urinalysis test results of persons arrested in 1988 are as follows: of the 15,734 adults tested, 73 percent tested positive for some type of drug. Sixty-four percent of arrestees (10,078) tested positive for cocaine, while 33 percent (5,224) tested positive for PCP. Heroin also appeared in 33 percent of all tests. Consistently, about 50 percent of persons who tested positive had more than one type of drug in their system.

The major concerns resulting from the drug problem are increased violence and homicides that are at an all time high. In 1988, 372 homicides occurred and 80 percent were drug related. Research on District homicides also reveals that, over a three year period, most homicide victims knew their assailants; over 60 percent of the deaths resulted from shootings; 63 percent of homicide victims had some type of drug or alcohol in their systems at the time of death, with cocaine being the most prevalent substance; and most homicide assailants resided in areas of the city where incidents of illegal drug activity are highest and average household incomes are lowest.

The number of persons prosecuted, convicted and incarcerated for drug related crimes has also increased, resulting in an



over-burdened criminal justice system. One striking example is the rapid rise in the District's corrections population, which rose 49 percent from 7,108 in 1984 to 10,597 in 1988.

#### THE CAUSES OF DRUG ABUSE ARE NUMEROUS AND COMPLEX

Viewed in isolation, the number of drug arrests in the District, along with correspondingly high incarceration rates, would indicate that illicit drug activity should have declined by now. However, both the causes and solutions to the drug problem are very complex. Long-term prevention strategies are geared toward those who are at-risk of entering the cycle of drugs and violence but are not yet entrenched. The success of these preventive efforts is often not evident for many years and usually does not affect those who have already adopted the lifestyle surrounding the use and sale of drugs. Typically, in the District, the person who has adopted this lifestyle is male, Black, 28 years old, and a user of PCP and/or cocaine.

These young adults are the products of a nearly ten year decline in federal support to urban areas for low-income housing, health care, education and other critical social services and the District, like other local jurisdictions, had trouble sustaining the same level of support. Their lives have been characterized by a diminution of traditional values that is linked to a breakdown in family structures. The phenomenon of teenage mothers, ill equipped for parenting, certainly contributes to the

faulty socialization and subsequent drug abuse, and anti-social and sometimes violent behavior displayed by many young people.

Changing demographics, have created situations in which both parents work, and have also profoundly affected family functioning. Youth have been required to spend more time without parental or other adult supervision. This has placed a greater burden on schools and other institutions that have often been unable to address the myriad needs of youths they serve.

Finally, national policies which have provided financial and military support to those nations responsible for the production and exportation of illicit drugs to the United States, coupled with a dismal federal interdiction effort, have helped to create an abundance of supply of illegal drugs, especially cocaine. In FY 1988, U.S. budget authority for defense spending exceeded 291 billion dollars, in comparison with a little over 21 billion dollars in budget authority for all federal enforcement programs, including drug-enforcement efforts.

The inability of the federal government to shut down high level entrepreneurs who manage international operations has resulted in an uninterrupted and steady flow of drugs into the country, and has kept supply bountiful and prices low. In 1984 a gram of cocaine sold for about \$100 and the purity level was 30-40 percent. By 1988, a gram of cocaine sold for about \$75-80 and was 60-80 percent pure.

THE DISTRICT HAS A MULTI-FACETED PLAN  
FOR ADDRESSING ITS DRUG PROBLEM

In order to effectively combat the drug problem, an anti-drug strategy must be based on several fundamental approaches. The basis of the District government's anti-drug strategy is that it must involve all areas of the government, the private sector, and the community; and must reach all groups of people city-wide. The District's anti-drug program is not limited to just the criminal justice system. While the government develops a comprehensive strategy, however, the residents of the city must realize that the drug problem cannot be solved without the commitment of other sectors of the community. The District actively enlists the participation of the business community, religious organizations, schools, parents and other community groups in developing and carrying out the anti-drug strategy.

The District's anti-drug strategy is based on the philosophy that prevention, enforcement and treatment together are the key to reducing and eventually eliminating the drug problem in the city. Therefore, all efforts toward solving the drug problem address reduction of the demand for drugs through education and early intervention, vigilant enforcement of drug laws, and expansion of treatment opportunities to serve all residents that seek to be drug-free.

Prevention is critical in any effort to eliminate the drug problem. The purpose of prevention is to reduce the demand for drugs. The District provides a variety of prevention services

through government agencies as well as private contractors in communities throughout the city. The programs are in place at residential sites, at public schools, and in community centers, and work with youth, the elderly, parents, and children.

The Metropolitan Police Department (MPD) continues its stringent enforcement of drug laws and implementation of programs aimed at fighting drugs. MPD officials believe that seizing the assets of drug dealers will eliminate the profit motive for those not yet involved in drug trafficking and deny drug dealers the capital needed to refuel their business after release from prison. It is with this premise that the Financial Investigative Unit (FIU) was begun in 1987. The FIU continues to successfully target drug trafficking rings, arrest dealers and seize their assets. Since 1987, this unit has targeted 464 cases for seizure, 283 of which have resulted in forfeitures of more than \$6 million in vehicles, cash, and real property.

As the District expands and makes more comprehensive its drug treatment programs, it is working toward treatment on demand for all District residents who seek treatment. Presently, the waiting period for ADASA central intake unit is two weeks, compared with a 10 to 12 week waiting period in June of 1988. The District is also examining ways to expand its residential treatment capacity.

While the government recognizes its responsibility to its residents and employs all of its resources to fight the drug problem, it also vehemently stresses the importance of parental

responsibility and involvement. Youth are increasingly becoming involved in drugs and criminal activity. Parents must accept greater responsibility for the activities and behavior of their children. They must become more involved in monitoring their children's activities, instilling positive values, and providing productive environments for youth.

The magnitude of the drug problem requires a massive community response. More than ever, it is important for us to come together to reclaim our city streets from drug dealers, to help those who are victims of drug abuse, and to prevent our young people from getting involved in drugs. It will be a protracted struggle, but we will never give up until this plague that has beset our city is driven away.



**PROGRAM AND COST SUMMARY**

## PROGRAM AND COST SUMMARY

## COST

I. Emergency Assistance -- 1,500 prison bed spaces from the Federal Bureau of Prisons \$27,400,000\*

\*This amount is added to the requested increased federal payment outlined below.

II. Increased Federal Payment To Fund Intensified Antidrug/violence Operations

A. PREVENTION INITIATIVES

|                                                                                                                  |             |
|------------------------------------------------------------------------------------------------------------------|-------------|
| 1. Public School Initiative -- Establish Transitional Support Services for Court Involved Youth [PUBLIC SCHOOLS] | \$1,223,632 |
| 2. Expand Prevention/treatment at Public Housing Sites [ALCOHOL & DRUG ABUSE SERVICES ADMINISTRATION]            | 750,000     |
| 3. Role Models for Black Youth [ALCOHOL & DRUG ABUSE SERVICES ADMINISTRATION]                                    | 300,000     |
| 4. Enhance Support Services for Public Housing Tenants [PUBLIC & ASSISTED HOUSING]                               | 3,000,000   |
| 5. Intensify Security at Public Housing Sites [PUBLIC & ASSISTED HOUSING]                                        | 5,105,600   |

B. LAW ENFORCEMENT INITIATIVES AND SUPPORT SERVICES

1. Police Initiatives

|                                                                                                      |              |
|------------------------------------------------------------------------------------------------------|--------------|
| (a) Increase Manpower Authorization by 700 [METROPOLITAN POLICE DEPARTMENT]                          | \$28,053,000 |
| (b) Upgrade Electronic Surveillance Unit [METROPOLITAN POLICE DEPARTMENT]                            | 422,250      |
| (c) Electronic Filing/tracking System for Critical Action Documents [METROPOLITAN POLICE DEPARTMENT] | 1,700,000    |
| (d) Establishment of Confidential Fund/reward System [METROPOLITAN POLICE DEPARTMENT]                | 3,000,000    |

|                                         |                                                                                                                                              |            |
|-----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|------------|
| (e)                                     | Creation of Waterway Interdiction Program<br>[METROPOLITAN POLICE DEPARTMENT]                                                                | 100,000    |
| 2. Prosecutorial Services               |                                                                                                                                              |            |
| (a)                                     | U.S. Attorney Office: recommend support for additional resources for the U.S. Attorney's Office requested through the Department of Justice. |            |
| (b)                                     | Impact of 700 Police Officers on Juvenile Prosecutions [CORPORATION COUNSEL]                                                                 | \$303,397  |
| 2. Pretrial Services Support Activities |                                                                                                                                              |            |
| (a)                                     | Impact of 700 Additional Police Officers<br>[PRETRIAL SERVICES AGENCY]                                                                       | 450,000    |
| (b)                                     | Increase Testing Speed<br>[PRETRIAL SERVICES AGENCY]                                                                                         | 125,000    |
| 3. Public Defender Support Activities   |                                                                                                                                              |            |
| (a)                                     | Expand Investigative Support Services<br>[PUBLIC DEFENDER SERVICE]                                                                           | 238,020    |
| (b)                                     | Expand Legal Support Services<br>[PUBLIC DEFENDER SERVICE]                                                                                   | 181,749    |
| 4. Judicial Support Activities          |                                                                                                                                              |            |
| (a)                                     | Impact of 700 Additional Police Officers<br>[D.C. COURTS]                                                                                    | 3,300,000  |
| (b)                                     | Overtime Requirement<br>[D.C. COURTS]                                                                                                        | 100,000    |
| (c)                                     | Increase Probation Staff<br>[D.C. COURTS]                                                                                                    | 1,600,000  |
| (d)                                     | Further Impact of 700 Additional Police Officers: Representation of Indigents<br>[D.C. COURTS]                                               | 3,500,000  |
| (e)                                     | Intermediate Court<br>[D.C. COURTS]                                                                                                          | 1,200,000  |
| 5. Correctional Support Activities      |                                                                                                                                              |            |
| (a)                                     | Emergency Support (1,500 bed spaces)<br>[DEPARTMENT OF CORRECTIONS]                                                                          | 27,400,000 |

|                                                                                       |           |
|---------------------------------------------------------------------------------------|-----------|
| (b) Expand Interstate Compact (500 beds)<br>[DEPARTMENT OF CORRECTIONS]               | 9,125,000 |
| (c) Expand Juvenile Custodial Programs                                                |           |
| (1) Expand Drug Prevention and Counseling<br>Services [YOUTH SERVICES ADMINISTRATION] | 300,000   |
| (2) Expand Treatment Services<br>[YOUTH SERVICES ADMINISTRATION]                      | 1,754,063 |
| (3) Expand Group Home Facilities<br>[YOUTH SERVICES ADMINISTRATION]                   | 5,016,570 |
| 6. Parole Support Activities                                                          |           |
| (a) Special Surveillance/enforcement Team<br>[PAROLE BOARD]                           | 508,828   |
| (b) Staff for Additional Hearings<br>[PAROLE BOARD]                                   | 348,322   |
| (c) Additional Parole Supervision Staff<br>[PAROLE BOARD]                             | 1,399,206 |
| (d) Additional Additional Staff<br>[PAROLE BOARD]                                     | 88,588    |

#### C. TREATMENT INITIATIVES

|                                                                                                                            |           |
|----------------------------------------------------------------------------------------------------------------------------|-----------|
| 1. Expand Clinic Operating Hours<br>[ALCOHOL & DRUG ABUSE SERVICES ADMINISTRATION]                                         | 1,275,000 |
| 2. Obtain Training in Techniques for Treating Crack<br>Cocaine Addiction [ALCOHOL & DRUG ABUSE SERVICES<br>ADMINISTRATION] | 150,000   |

TOTAL REQUEST: \$102,018,225

**REQUEST FOR EMERGENCY ASSISTANCE**



REQUEST FOR EMERGENCY ASSISTANCEOverview and Problem Statement

The primary issue for the District's correctional system is severe crowding in existing facilities. This crowding has caused judicial intervention in the form of population "caps" at many facilities. Further population growth in the remaining uncapped facilities may cause further judicial activity.

Currently, the corrections system is accommodating approximately 1950 prisoners beyond its rated capacity. Approximately 500 prisoners could be placed in different state systems if funds are made available. However, the immediate crisis prompts our first emergency request for intervention by the Federal Bureau of Prisons to house 1,500 District of Columbia prisoners.

The second request for emergency assistance involves intervention by the Office of Drug Control Policy to facilitate drug interdiction efforts at Lorton. Establishing a drug free environment within any prison is essential for security as well as to permit effective rehabilitation.

The Lorton reservation is a federal property (with the exception of one parcel of land that includes Youth Center I). Therefore, enforcement at Lorton is primarily a federal responsibility. While cooperative efforts have been successful in the past, and both the U.S. Attorney's Office and the Federal Bureau of Investigation have increased their resources dedicated to this issue, the total enforcement workload is beyond their capacities.

Therefore, at the request of the U.S. Attorney for the Eastern District of Virginia, the Metropolitan Police Department and the Department of Corrections have identified staff to be deputized to support federal efforts in this area. An inter-agency Memorandum of Understanding to cover this project has been written and is ready to be signed. Congress, in its Conference Report on the FY 1989 appropriation, directed the District government to seek funding from other federal programs such as those being established as part of the omnibus drug legislation for a drug interdiction effort at Lorton.

Thus far, the District's effort to undertake the interdiction initiative has been hampered by several problems. A Department of Justice policy review regarding deputations appears to be responsible in part for a delay in obtaining staff deputations.

Delays have also been encountered in the signing of the Memorandum of Understanding and in obtaining any discretionary grant funds for support of the initiative.

While the District has approved the allocation of \$200,000 of its anti-drug abuse block grant funds for this federal enforcement responsibility, contacts with both the corrections and law enforcement offices within the Bureau of Justice Assistance have not been encouraging relative to the District receiving discretionary funding to further support this project.

#### Program Descriptions

##### 1. Fund and Transfer 1500 Prisoners to the Federal Bureau of Prisons

In the area of direct support, it is requested that the Federal Bureau of Prisons accept an additional 1500 prisoners immediately. This is a public safety emergency. The federal government is called upon every year to provide emergency relief from various man-made or natural disasters. The current situation in the District of Columbia should be treated at least as seriously.

There are two options for funding this project: Fund the Federal Bureau of Prisons (FBP) for the direct costs of added prisoners (food, clothing, medicine, staff), or fund the D.C. Department of Corrections to pay the FBP bills, which includes full costs for all inmates. If the second option is chosen the cost will be \$27,400,000. This cost is based on an estimated charge by FBP of \$50.00 per day.

FY 1990: Full year funding at \$50.00 per day = \$27.4 million

##### 2. Intervention by the Director of Drug Control Policy

The federal Director of Drug Control Policy should use any influence available to him to:

1. Have the inter-agency Memorandum of Understanding signed by federal authorities and submitted to the District for approval.
2. Obtain approval for the requested deputations of the District Police and Corrections staff.
3. Facilitate the use by Corrections of drug-detecting canines and appropriate training for Corrections handlers by the DEA or FBI.

4. Contact the Bureau of Justice Assistance about discretionary funding for this project; including staff, overtime, transport vehicles, communications, drug testing services and equipment, visitor identification and processing technology, canine drug detectors and related expenses.

Costs: No new direct costs are requested. The potential costs to DEA or other federal law enforcement bodies for drug detecting canines and training is unknown at this time. However, it should be noted that the D.C. Department of Corrections will be contributing the staff time and on-going maintenance of the dogs.

The total cost of a drug interdiction project at Lorton has previously been estimated to be \$850,000 for the first year. This includes start-up costs. The cost estimate does not include things for the Lorton Task Force such as office renovations, office equipment, or utilities, all of which the Department of Corrections will provide. Discretionary funds available from BJA would augment the \$200,000 in District block grant funding ear-marked for this project to meet the total anticipated cost.

**REQUEST FOR INCREASED FEDERAL PAYMENT**

A. METROPOLITAN POLICE DEPARTMENT



## METROPOLITAN POLICE DEPARTMENT

Overview and Problem Statement

The worsening problem of drug-related violence in many communities in the District of Columbia is compromising the safety of innocent citizens who once took the security of their community for granted. In areas where safety is no longer assured, the problem of drug-related crime must be addressed swiftly, with sufficient, planning and resources. The approach must be capable of addressing the violence and its causes and must be aimed at achieving immediate and long-term results. Under the current situation the Metropolitan Police Department is not staffed to serve adequately the numerous communities in which public safety is threatened by drug-related violence.

## Program Descriptions

1. Provide resources to hire, train, and mobilize 700 additional police officers.

In order to close down open-air drug markets effectively and increase police visibility enough to have a substantial deterrent effect, it is necessary to hire, train, and mobilize 700 additional police officers (an additional 100 police officers have been requested by the Department of Public and Assisted Housing to patrol public housing areas. Funds for the additional officers are requested in the DPAH section).

- |    |                                                                                                               |              |
|----|---------------------------------------------------------------------------------------------------------------|--------------|
| 1) | Personnel Costs @ \$31,056                                                                                    | \$21,739,000 |
|    | Includes funds for salary, benefits, medical coverage, court overtime and night differential.                 |              |
| 2) | Equipment Costs                                                                                               | \$ 1,814,000 |
|    | Includes prorated costs for radio equipment, weapons, automobiles, gas, and other equipment.                  |              |
| 3) | Recruiting Costs                                                                                              | \$ 500,000   |
|    | Includes costs for travel, per diem, vehicles, and advertising campaign for an extensive recruiting campaign. |              |

4) Training Costs \$ 4,000,000

Covers costs for increased space to train the additional 700 men. Also provides for additional training to compensate for high expected rates of officer retirement over the next two years.

2. Upgrade and Modernize the Electronic Surveillance Unit

Electronic surveillance is critical to developing probable cause in complicated narcotics and weapons investigations. The criminal element in the District has become both sophisticated in the use of technology and mobile in its operations. At present, the electronic surveillance equipment being used is obsolete. Acquiring up to date equipment is critical to our success in arresting and prosecuting top-level drug and weapons dealers.

Funds will be used to replace old equipment and to purchase additional equipment that will enhance the department's capability for electronic surveillance.

|                                                |           |
|------------------------------------------------|-----------|
| 1) Surveillance Vans                           | \$100,000 |
| 2) Audio-Visual Equipment                      | 114,250   |
| 3) Pen Registers                               | 57,000    |
| 4) Transmission Equipment                      | 92,000    |
| 5) Miscellaneous Equipment<br>and Repair Tools | 59,000    |
| Total                                          | \$422,250 |

3. Electronic Filing/Tracking System

Due to the increase in drug offenses and arrests, the Metropolitan Police Department now processes over 500,000 reports. The processing of these manual reports is time-consuming and increasingly cumbersome. The result is untimely reporting for law enforcement managers, prosecutors and court officials. Sometimes reports are lost and/or misdirected; and statistical counts are usually six to eight weeks behind. With the impact of additional police officers and arrest operations, this situation will worsen.

Fortunately, current technology will allow for computerized filing of reports at the earliest point in the field and retrieval in seconds for data entry into automated files and printing of reports for police commanders, prosecutors and court officials. The impact will be a tremendous increase in operational intelligence and expedition of critical case information. The equipment (scanners, network and disk storage devices) and complete installation at headquarters and field units will cost \$1,700,000.

#### 4. Establishment of a Confidential Account and Reward Program

The illegal drug trafficking industry is one that is well-financed and generally protected by its willing clients. In exchange for this loyalty, the participants are assured of either reasonably large profits or a source from which to buy drugs. Efforts by law enforcement, therefore, are offset by these attractive motivators offered by the trade.

To compensate for this negative motivation factor and to enhance our ability to get at higher levels of drug distribution, an effective counter-strategy must be employed by the government. A "Super Drug Dealer Program" will be initiated which could pay up to one million tax-free dollars for information leading directly to the arrest and conviction of a super drug dealer. Currently, this amount of money is often spent by law enforcement agencies during the many months and years required to conduct this type of investigation. A second initiative is the establishment of a confidential account from which large sums of money could be drawn, within two hours of a bona fide request, for undercover operations leading to an imminent arrest. Seizures resulting from the arrest will serve to reimburse the account.

- |                              |             |
|------------------------------|-------------|
| 1) Super Drug Dealer Program | \$2,000,000 |
| 2) Confidential Fund         | \$1,000,000 |

#### 5. Provision of the Capability for Waterway Interdiction

As interdiction efforts prove to be more successful at rail stations, bus depots, and airports, waterways may be substituted as points of entry. At present, the Harbor Section of the Police Department is primarily used for boating safety and rescue. It does not have the equipment nor the training for drug interdiction.

To guard against the use of waterways as points of entry for illegal drugs, training and equipment will be needed to add to the Harbor Section's capabilities as a drug interdiction unit.

- |                                                                                          |          |
|------------------------------------------------------------------------------------------|----------|
| 1) Boston Whalers                                                                        | \$50,000 |
| Purchase two Boston Whalers or equivalent for drug interdiction use.                     |          |
| 2) Equipment                                                                             | \$40,000 |
| Purchase radio equipment and other necessary equipment needed for the interdiction unit. |          |
| 3) Training                                                                              | \$10,000 |
| Provide funds for training and travel for waterway drug interdiction.                    |          |

Program Budget Summary

|                                                                       |                |
|-----------------------------------------------------------------------|----------------|
| 1. Increase Manpower Authorization by 700                             | \$28,053,000   |
| 2. Upgrade Electronic Surveillance Unit                               | 422,250        |
| 3. Electronic Filing/tracking System<br>for Critical Action Documents | 1,700,000      |
| 4. Establishment of Confidential<br>Fund/reward System                | 3,000,000      |
| 5. Creation of Waterway Interdiction<br>Program                       | <u>100,000</u> |
| Total Agency                                                          | \$33,275,250   |

**B. PRETRIAL SERVICES AGENCY**



## PRETRIAL SERVICES AGENCY

Overview and Problem Statement

Several years ago the District of Columbia instituted urine testing of adult and later juvenile arrestees awaiting judicial action. The results of the testing have been used by judges to set conditions for pretrial status. Arrestees with evidence of heavy drug use have been mandated to treatment as a condition of release. Those with any abuse evidence have been required to abstain from drug use and submit to periodic testing to insure conformity with release conditions. This process has increased the quality of release decisions and decreased the levels of criminal involvement by pretrial releasees.

If additional police officers are authorized and recruited, a high volume of testing will be required. In addition, improvements to the current testing program will allow the institution of a broader monitoring program, matching violations with a graduated program of sanctions, for more effective control of the pretrial population.

## Program Descriptions

1. Impact of 700 Additional Police Officers

Based on current arrest rates, it is estimated that 700 additional police officers would generate, through greater numbers of arrests, a 15% increase in the workload of the current testing program. Since the current workload is barely being supported by the current level of resources, additional resources in the amount of \$450,000 to pay for testing materials and staff time would be required.

2. Program Improvement

The current program should be improved by shortening the length of time test results become available and communicated to arrestees. That would allow for immediate imposition of sanctions and/or conditions, preventing anyone from slipping through the testing net. This improvement could be made through six additional staff for analyzing urine samples and immediately updating automated records. The costs for these six positions will be \$125,000.

Program Budget Summary

|                                                |                |
|------------------------------------------------|----------------|
| 1. Impact of 700 Additional<br>Police Officers | \$450,000      |
| 2. Increase Testing Speed                      | <u>125,000</u> |
| Total Agency                                   | \$575,000      |

**C. PUBLIC DEFENDER SERVICE**

## PUBLIC DEFENDER SERVICE

Overview of Problem Statement

The Public Defender Service (PDS) for the District of Columbia provides legal representation for indigent defendants. The constantly increasing numbers of drug and homicide arrests have created a need for additional staff at PDS. The City Council for the District of Columbia has recently approved the creation of fifteen (15) new attorney positions, two (2) investigator positions and two (2) social worker positions. However, PDS needs additional support staff to address the problems created by the drug and homicide epidemic.

## Program Descriptions

1. Increase Number of Investigators

The increasing level and intensity of the violence on the streets of the District of Columbia has created concern by all citizens. Police feel threatened and have requested additional firepower and other protection. Similar difficulties are faced by the Intern Investigation Program at the Public Defender Service. Historically, this program has recruited high quality college interns from across the nation. These interns, after training, investigate criminal cases of all degrees of severity. With the escalating level of violence, intern recruitment has suffered. Moreover, the Service hesitates to deploy interns in the many cases involving potential danger to investigators. Thus a desperate need for additional professional investigators has grown. At least ten (10) additional investigators are needed to fill the shortfall created by declining intern recruitment and increasing violence.

|         |                     |           |
|---------|---------------------|-----------|
| Budget: | Ten Investigators @ | \$ 23,802 |
|         | Total               | \$238,020 |

2. Increase in Legal Support Services

In response to the expanding number of cases handled by the Service, additional attorney slots have been created. In fact, the most recent budget approved by the City Council includes fifteen (15) new attorney positions. However, those new attorneys need additional support services not included in the budget. The potential resources of the new attorneys cannot be realized without increased administrative support. Such support should include both traditional secretarial support and paralegal support. Because paralegals have not been employed previously,

there is a greater need to "catch up" in their hiring. As a conservative estimate, three (3) additional secretaries (to support the new attorney positions) and five (5) paralegals are needed.

Program Budget Summary

|                                          |                |
|------------------------------------------|----------------|
| 1. Expand Investigative Support Services | \$238,020      |
| 2. Expand Legal Support Services         | <u>181,749</u> |
| Total Agency                             | \$419,769      |



D. DISTRICT OF COLUMBIA COURT SYSTEM

## DISTRICT OF COLUMBIA COURT SYSTEM

Overview and Problem Statement

The District of Columbia Courts, consisting of the Court of Appeals and the Superior court, constitute the Judicial Branch of the District Government. The former, the Court of Appeals, is the highest court of the District of Columbia with its final judgments and decrees reviewable by the Supreme Court of the United States. The latter, the Superior Court, is the court of general jurisdiction over virtually all local legal matters with divisions that provide local litigation functions for criminal, civil, juvenile, domestic relations, tax, probate, traffic and other matters.

In addition, the Social Services Division of the Superior Court, among other responsibilities, administers the probation program for the District of Columbia. This includes case assessment, management and supervision.

A growing and large proportion of the criminal litigation handled by the District of Columbia Courts involves persons charged with drug and drug-related offenses. For example, between 1985 and 1988 the number of persons prosecuted for drug offenses increased from 2,968 to 5,768, a 94 percent increase. Therefore, any increase in the level of arrests or changes in sentence structures for drug and drug-related offenses, will significantly impact the workload of the Courts.

## Program Descriptions

1. Impact of 700 Additional Police Officers

It is estimated that the increase in adult and juvenile case filings that will result from the increased number of arrests by 700 additional police officers will require eleven (11) additional judges, as well as a courtroom staff and collateral court support complement of 79 court employees, including 18 probation officers. This projection would address both the adult and juvenile needs and would cost approximately \$3,300,000 per year.

2. Overtime Requirement

The imposition of the federal Fair Labor Standards Act has mandated that judges and other court officials must cease courtroom operations at 5:00 p.m. regardless of the stage of the daily proceedings unless overtime funding is available and paid.

With the need to expedite serious drug and drug-related cases through litigation, the current lack of overtime funds is a serious problem. It is estimated that the availability of \$100,000 in overtime funds would significantly facilitate the processing of the most critical drug cases.

### 3. Increased Probation Staff

As the number of probation cases, particularly involving persons convicted of drug offenses, has risen substantially during recent years, the number of probation officers has not kept pace. As a result, the probation office is working at over 125% of maximum workload and is not able to properly serve its clients. In order to supervise its growing clientele responsibly and effectively, 52 additional probation officers must be recruited. The costs for these officers is \$1,600,000.

### 3. Representation of Indigents

Under current law, indigent defendants must be furnished with legal counsel. It is estimated that as a result of the additional 700 police officers there will be a 16% increase in criminal case filings. This increase would translate into the need for \$3,500,000 in additional Criminal Justice Act funds to pay for the legal counsel required for the anticipated number of indigent defendants.

### 4. Intermediate Court

The impact of the drug enforcement effort underscores the need for an intermediate appellate court in order to dispose of more cases in less time, thereby increasing the certainty of punishment and the finality of proceedings. Since 1971 when the D.C. Court of Appeals was created, the number of appeals has risen from 613 in 1971 to 1,681 in 1988. As a result, numerous studies, most recently one by the D.C. Bar Association and the National Center for State Courts, have recommended the establishment of an intermediate court to screen and dispose of many of the cases now coming before the Court of Appeals. With the anticipated increase in number of cases, trial judges and calendars, changes in the laws and conditions surrounding preventive detention hearings, mandatory sentences, etc., the need for this new court is urgent. It is recommended that the federal administration support the congressional legislation to establish such a court. Interim funding for this court will be \$1,200,000 and funding for the first five years will total \$10,000,000 (year one \$3m.; year two \$2.4m.; year three \$1.9m.; year four \$1.5m.; year 5 \$1.2 m.).

Program Budget Summary

|                                                |                  |
|------------------------------------------------|------------------|
| 1. Impact of 700 Additional<br>Police Officers | \$3,300,000      |
| 2. Overtime Requirement                        | 100,000          |
| 3. Increase Probation Staff                    | 1,600,000        |
| 4. Representation of Indigents                 | 3,500,000        |
| 5. Intermediate Court                          | <u>1,200,000</u> |
| Agency Total                                   | \$9,700,000      |

**E. DEPARTMENT OF CORRECTIONS**



## DEPARTMENT OF CORRECTIONS

Overview and Problem Statement

The primary issue for the District of Columbia's Department of Corrections is severe crowding in existing facilities. This crowding has caused judicial intervention in the form of population "caps" at many facilities. Further population growth in the remaining uncapped facilities will undoubtedly cause further judicial activity.

Additional beds are needed to ameliorate the current crowding. This action is needed to avoid further judicial intervention and to preclude the need to continue using the Emergency Powers Act for early releases. Also, adequate space is needed to house additional arrestees and sentenced prisoners resulting from new enforcement initiatives. Placement of prisoners in more secure and less antiquated facilities than are now in use are crucial.

Current crowding in D.C. facilities, based on court ordered capacities, is approximately 1950 including the jail, Lorton and community based correctional centers. In addition, the District houses over 700 inmates in other states. Finally, nearly 2000 D.C. code offenders reside in the Federal Bureau of Prisons.

The total population of D.C. code offenders in all sites has increased at an average rate of nearly 50 per month over the past 24 months, but has accelerated to 88 per month in the past six months. At the latter rate, Corrections will be responsible for an extra 1000 prisoners by this time next year.

In addition to the emergency action outline earlier, the federal government can do a number of things to help the District increase its correctional system to accommodate the crowding and expected further influx of drug offenders. These measures include both direct federal resource support, as well as facilitation of the District's own substantial efforts to expand bed spaces locally.

Program Descriptions1. House 500 additional prisoners in various state systems.

The Department of Corrections has undertaken a very aggressive program to locate excess bed-spaces in other states or in county jails. It has been successful in placing over 700 prisoners by this means. However, further expansion in this area will require added funding.

In order to meet the current crowding crisis of 1950 inmates, after the FBP takes 1,500, the District must place an additional 500 in other state systems. The cost for this placement will be \$9,125,000 based on an estimated charge of \$50.00 per day per inmate.

## 2. Advocacy on Behalf of Prison Expansion Plans

The District has in the past proposed locally funded expansion of prison-beds, only to have Congress stop the initiative through exercise of its oversight authority. The executive branch of the federal government could be helpful by advocating on our behalf for the prison expansion proposals contained in the District's FY 1989 supplemental budget request and the FY 1990 appropriations request as described below.

1. The City Council has already approved \$10.0 million for an accelerated addition of 500 beds to existing facilities through pre-construction techniques. This would consist of 100 beds in the Maximum Security Facility, 200 beds at the Central Facility, and 200 beds at Youth Center II. In addition, the City Council added \$25 million for a feasibility study and site acquisition for a jail/short-term facility at Judiciary Square, and to study a revised use of the present jail.

2. In Corrections' approved FY 1990 request to Congress, there is \$22.5 million for starting the planning process to implement Corrections' ten-year Facilities Master Plan; \$13.5 million for repairs and renovations after the fire at Central Facility and to create means for the more fully independent operation of the Modular Facility; and \$43.0 million for a new 800 bed facility at Lorton. While only District funding is being requested for these expansion initiatives, the federal government must approve them. Any catalytic action or facilitation that the executive branch can provide will be helpful.

3. Unlike the above listed District-funded initiatives, the federal government played a direct role in the Correctional Treatment Facility, and 800 bed facility that was authorized in 1986. Congress provided an initial appropriation of \$50.0 million, and has been directly involved in the site selection process. A recent effort to provide additional funding (\$35.0 million) to complete this project, through the District's budgetary process, failed at City Council.

One of the Council's main concerns in taking this action was uncertainly as to whether the facility would ever be completed or whether the federal government had the will to stick with the project to completion. It is imperative that the federal government, both the Executive and Congress, clarify that this

is a local project, that it still enjoys the federal government's complete support and commitment, and that funding already provided for this facility is clear evidence of that commitment.

No additional costs are associated with these items.

Program Budget Summary

|                                           |             |
|-------------------------------------------|-------------|
| 1. 500 Beds in InterState Compact         | \$9,125,000 |
| 2. Advocacy on Behalf of Prison Expansion | -0-         |
| Total Agency                              | \$9,125,000 |

F. BOARD OF PAROLE

## BOARD OF PAROLE

Overview and Problem Statement

The addition of police officers, prosecutorial, court, corrections and other personnel needed to address the drug crisis in our city will have a direct impact on the workload of the Board of Parole. Since eligibility for parole is a statutory determination, the number of parole candidates who come before the Board is directly related to the size of the prison population.

Efforts to address the drug crisis will quite obviously increase the prison population. When this happens, there must be an increase in resources for the paroling authority.

The Board of Parole has the responsibility for making parole determinations in accordance with applicable laws and municipal regulations. Every inmate sentenced as an adult to a term of more than 180 days is eligible for parole consideration after serving the minimum sentence imposed by the Court.

The minimum sentence is generally one-third of the maximum sentence. For persons sentenced under the Youth Rehabilitation Act, the Board may grant conditional release when the Board feels that rehabilitation and other goals of the Act have been met. If parolees are not observing the conditions of the parole, the Board may revoke parole and return a parolee to incarceration.

The Board, through its Supervision Services Division, also supervises parolees in the community to ensure that parolees observe the conditions of parole. Parole Officers also must confirm a parole candidate's community resources before release. The Board requires that a parolee have a confirmed place of residence and employment as a prerequisite to release. One of the major activities of a Parole Officer is the scheduling of office visits for parolees based on the parolee's level of supervision, which can be maximum, medium, minimum or special. Parole Officers must also make home visits and job visits, conduct urine surveillance to detect drug use, and monitor parolees participation in drug treatment, counseling or other appropriate services.

The growth in the prison population over the past few years is clearly reflected in the Board's workload. In FY 1987, the Board conducted 4,300 parole and revocation hearings. In FY 1989 that number is projected to rise to 6,700, an increase of over 50% in just two years. Hearings are projected to increase another 20% in FY 1990, reaching a total of 8,000. Managing this workload is placing tremendous strain on parole determination staff resources.



For the parole supervision program, the pressures are even more intense. The number of active parolees increased by more than 50 percent between FY 1987 and FY 1989. The current parolee caseload for parole officers exceeds an average of 100 cases per officer, compared with an average of 65 cases per officer just two years ago. The number of warrants being issued by the Board is also increasing at a significant rate. However, the closure rate remains steady at about 50 percent of the number issued. Parole Board warrants are served by the D.C. Department of Corrections Warrant Squad.

An influx of additional prisoners to the correctional system, without addressing the resources needed by the Board, will seriously clog up the parole process and create serious backlogs. The existence of backlogs will create legal compliance problems for the Board; Moorisey v Brewer and Campbell v McGruder place specific requirements on the Board with respect to processing time frames.

The Board, therefore, proposes a four-pronged program which will create a Special Parole Enforcement Program, improve the parole determination staff resources and the parole supervision staff resources, and support funding for the additional Board responsibilities.

#### Program Descriptions

##### 1. Special Parole Enforcement Program

A new staff component of Special Parole Agents is requested. These agents would have arrest powers and would target parolees or parole candidates who have drug distribution histories and backgrounds.

The target group would receive stepped-up surveillance and timely service of parole warrants. Timely warrant service is critical for the parole process. Warrant service is now being done by a staff of three in the Corrections Department. This staff has many other duties and is too small to effectively meet the Parole Board's needs. The Special Parole Agents would be dedicated to drug distribution cases and should be able to reduce substantially the number of outstanding parole warrants.

The special agents will also coordinate and share information with outside resources including the Career Criminal Unit of the MPD and federal and District Government tax authorities.

A total staff of twelve persons is being requested at a cost of \$508,828. Staff increases include 10 Special Parole Agents and two Parole Assistants.

## 2. Parole Determination Staff

This staff supports the Board in its decision-making. Activities include scheduling of hearings, conducting hearings, and document preparation and processing. Funds are needed in a wide range of job functions including the following additional position: two Hearings Examiners, three Parole Analysts, two Documents Clerks, one Computer Assistant and one Parole Assistant at a total cost of \$348,322.

## 3. Parole Supervision Staff

This staff will reduce the caseload size for Parole Officers and increase the plan development and revocation representation unit. The following staff positions are needed: four Plan and Revocation Unit Officers; four Special Intervention Officers; twenty General Parole Officers; one Computer Assistant; and four Parole Assistants at a cost of \$1,399,206.

## 4. Office of the Board

Funds are needed in the Office of the Board to support the increased Board staff new positions needed are one Office Assistant, one Computer Assistant, one Records Assistant and one Receptionist at a cost of \$88,588.

### Program Budget Summary

|                                           |               |
|-------------------------------------------|---------------|
| 1. Special Surveillance/Enforcement Team  | \$ 508,828    |
| 2. Staff for Additional Hearings          | 348,322       |
| 3. Additional Parole Supervision Staff    | 1,399,206     |
| 4. Additional Parole Administrative Staff | <u>88,588</u> |
| Total Agency                              | \$2,344,944   |

**G. YOUTH SERVICES ADMINISTRATION**

## YOUTH SERVICES ADMINISTRATION

### Overview and Problem Statement

The District is currently responsible for about 3,000 youth who have been ordered confined to secure juvenile facilities, group homes, or are part of the foster care population. These youth are primarily from neighborhoods where the incidence of drug use and involvement in drug trafficking is high. Many of these youth have never participated in intense drug prevention information sessions, nor have they undergone screening for the purpose of assessing their needs for drug treatment services. Staff that interface with these youth currently lack the training or expertise to provide drug prevention education services or drug counseling services for those with minor but developing drug problems. The recent increase in juvenile arrests has also created a need for additional bed space within the District's juvenile correctional system. Additional bed spaces are needed in a network of community-based group homes. The addition of community-based treatment slots for juveniles not sentenced for violent offenses is an important element in efforts to rehabilitate youth involved with drug offenses. The total cost for this problem is \$300,000.

### Program Descriptions

#### 1. Drug Prevention and Counseling Services

The Youth Services Administration (YSA) proposes to train additional staff as certified drug counselors to provide prevention and initial treatment services to the youth population for which the District maintains custodial care. YSA has previously received a subgrant from District federal anti-drug funds for this purpose. However, additional funds would allow for a much needed expansion of this effort. YSA proposes to train 100 youth workers as certified counselors to provide drug prevention education services, individual counseling and group counseling.

It is estimated that about 40 percent of the juvenile population for which the District is responsible for providing custodial care are drug abusers. Intervention during the adolescent years is critical in efforts to successfully modify drug abuse behavior. Currently, due to budget constraints, treatment services for this population are limited.

#### 2. Expanded Treatment Services

Youth Services Administration, in collaboration with the Public Health Commission, proposes to expand and enhance treatment services for court-involved youth. Specifically, YSA proposes to:

- a. establish an intensive family counseling unit to work with youth and their families who have drug problems;
- b. establish a 50-bed in-patient drug treatment service for youth; and
- c. enhance support services and follow-up for youth in after-care status.

These enhancements will provide youth the needed wide range of services and, for the first time, include family members who themselves often experience drug problems.

The intensive family counseling unit will be comprised of four counselors, one supervisory counselor, and a clerical worker. The 50-bed in-patient treatment will require funds for renovation and site preparation, rent, and personnel costs to cover fifteen health technicians, five physicians, four nurses, one administrator, and three clerical workers. For enhancements of aftercare services, five additional aftercare workers and one clerical worker are needed.

Annual funding for the intensive family counseling unit amount to \$221,697. The annual cost for the in-patient unit is \$1,374,994 while the cost for enhanced support services is \$157,372. The total cost for expanded treatment services is \$1,754,063.

### 3. Expansion of Group Home Facilities

In order to address critical population needs, it is recommended that funds be provided to open and operate 10 additional group homes.

These group homes will have approximately twelve residents and will include all the required support services.

Funds will be required to obtain and prepare 10 buildings as group home sites. Other funds will be needed to cover the costs of staff and other operating expenses such as food, supplies, and rent. About 2.5 million dollars will be required for site preparation and renovation for 10 building. Staffing requirements for this expansion include 10 supervisory workers, 10 social workers, 50 counselors, and 10 clerical workers. The total cost for expansion of group home facilities is \$5,016,570.



Program Budget Summary

|                                                      |                  |
|------------------------------------------------------|------------------|
| 1. Expand Drug Prevention and<br>Counseling Services | \$ 300,000       |
| 2. Expand Treatment Services                         | 1,754,063        |
| 3. Expand Group Home Facilities                      | <u>5,016,570</u> |
| Total Agency                                         | \$7,070,633      |

**H. DEPARTMENT OF PUBLIC AND ASSISTED HOUSING**

## DEPARTMENT OF PUBLIC AND ASSISTED HOUSING

Overview and Problem Statements

Public housing is the largest source of subsidized housing in the District, accounting for 40 percent of the subsidized living arrangements in 1988. The typical household living in public housing consists of a single female head of household with children and an annual income of \$7,600.

In 1987, the Mayor's Blue Ribbon Commission on Public Housing found residents and management frustrated by inability to control the public housing environment. Drug trafficking, vandalism, and crime continue to plague public housing properties. Residents speak of drug dealers who operate at all hours on properties without fear of action by authorities. Juveniles are enticed into joining operations for easy money. Vacant units have become havens for drug taking, laboratory operations and "crack houses."

At one time, in response to a call from a site manager, the Department of Public and Assisted Housing sealed 13 vacant units on a Friday. By Monday, nine of the sealed units had been exposed, and a PCP laboratory was operating in one of them. Drug dealers offer residents large sums of money in exchange for use of their apartments. Drug deals are completed regularly on the front steps of public housing units.

Unquestionably, there is a tremendous need for increased security on public housing properties in the District of Columbia. Use of private security guards has been tried but with minimal success because many of the citizens working in those jobs evidence some of the same problems endemic to public housing residents. The only way to assure effective execution of security patrols and enforcement of drug laws on public housing properties is to assign a permanent force of uniformed police officers to sites where drug use and sales are most troublesome. For this reason, 100 police officers, in addition to those requested in the police section of this document, are requested for permanent assignment to public housing facilities.

The other problem relates to the environment in public housing which is pervaded by despair common to life in an area of highly concentrated poverty. This negative environment and the perception among residents of a lack of economic opportunity are conducive to involvement in the illegal drug market, where selling drugs yields easy profits and using them temporarily erases despair. Enhancing the public housing environment is critical to addressing the drug problem in the system.

Currently the Operating Services Assisting Youth (OSAY) program operates on 20 public housing sites in the city. Run by the Department of Recreation, the program provides recreational activities, counseling and referrals to residents of public housing complexes. While this program as well as other anti-drug programs have been very successful in reaching those at high risk of becoming entrenched in the drug culture, the physical environment in which programs such as OSAY operate as well as their shortage of material resources limit their effectiveness.

#### Program Descriptions

##### 1. Enhance Security at Public Housing Properties

Funding is requested to hire and deploy one hundred police officers on public housing properties. Sixty of the officers would provide routine security and surveillance activities. The remaining forty officers will be organized into ten teams of four officers to aggressively pursue and arrest individuals suspected of drug-related crimes on public housing properties. The cost to hire 100 police officers is \$3,105,600.

Manpower alone cannot assure security. Many properties are designed in a manner that allows criminals to elude police so additional funding is requested to construct barriers and make other appropriate physical alterations and install high intensity lights that will aid in law enforcement efforts. Funds for this are not available through federal grants. The estimated cost is \$2,000,000.

##### 2. Enhanced Support Services for Youth in Public Housing Properties

Funding is requested to establish youth development centers on selected public housing properties. In conjunction with Project OSAY, these centers will provide recreational activities and equipment, computerized educational systems and other educational and health programs in an attractive environment that encourages youth participation. The centers will be located in wards seven and eight.

The estimated cost for obtaining material and staff resources is \$3,000,000. This also includes building renovation costs. Centers will be established at several of the most troubled and crime-ridden public housing properties, which include Eastgate, Montana Terrace, Carrollsburg, Park Morton, Lincoln Heights, Valley Green, East Capital and Greenleaf.

Program Budget Summary

|    |                                                      |                  |
|----|------------------------------------------------------|------------------|
| 1. | Enhancement of security at public housing properties | \$5,105,600      |
| 2. | Youth Development Centers                            | <u>3,000,000</u> |
|    | Total Cost                                           | \$8,105,600      |

Note: On February 24, 1989, the Department of Public and Assisted Housing submitted to the Department of Housing and Urban Development a preliminary application for the 1989 Comprehensive Improvement Assistance Program. Included in the application is a proposal for capital improvements in the amount of \$49,733,757 to modernize seven public housing sites. An additional \$3,173,594 was requested for overall management improvement efforts. Under the regular funding cycle, this money will be available in October 1989. We request an expediated review and subsequent awarding of funds in order to more quickly complete renovations at the relevant properties.



I. ALCOHOL AND DRUG ABUSE SERVICES ADMINISTRATION

## ALCOHOL AND DRUG ABUSE SERVICES ADMINISTRATION

Overview and Problem Statement

The Alcohol and Drug Abuse Services Administration (ADASA) within the Commission of Public Health of the Department of Human Services provides assessment, counseling, treatment, outpatient and inpatient services and prevention assistance to persons experiencing problems with substance abuse. Although their services have been greatly expanded over the past few years, there is an immediate need for additional drug treatment capacity in the District of Columbia. Three new outpatient clinics are in various stages of development; however, none will be available before fiscal year 1990. The need for expansion is enhanced by the recent emergence of cocaine/crack as the drug of choice. Furthermore, there is a disproportionately high incidence of illegal drug activity in public housing facilities. In addition, the fact that adult Black males are over-represented in the criminal justice system affects the availability of positive role models for Black youth.

## Program Descriptions

1. Expand Clinic Operating Hours

Operating monies currently available for two of the three new clinics will be used to extend the operating hours of existing clinics. This will provide the additional capacity almost immediately. However, when the three new clinics currently being developed open, funds will not be available to continue the extended operating hours program, although it is a necessary and cost effective means of service expansion. Funding is needed to continue the extended hour program in fiscal year 1990.

Funding is needed to create 1040 new slots at five clinics at a per slot cost of \$1225.96. This will fund additional nurses, counselors, supplies, communications and energy costs. The annual operating cost is \$1,275,000.

2. Provide Training in Techniques for Treating Cocaine/Crack Addiction

Rapid changes in drugs of choice in the District (shifting from PCP to cocaine/crack in the District in less than two years), along with increasing poly-drug use have created new and complex challenges to drug treatment counselors. Counselors are in need of training opportunities oriented to the latest approaches to cocaine/crack addiction as well as amphetamines.

Heavy caseloads and extremely limited budgets have precluded anything beyond in-service training for the last two years.

Trainers and state-of-the-art training materials need to be identified and brought to the District to facilitate an efficient expansion of treatment capability at an estimated cost of \$150,000.

### 3. Expand Prevention and Treatment at Public Housing Sites

The Resident Assistant Program (RAP), currently located on two public housing sites, has been developed to address the problems of drug and alcohol abuse and illegal activities. Youth living in these environments represent the city's highest at-risk population, and programs are needed which are specifically targeted to residents in these catchment areas. The main purpose of the RAP is to assist public housing residents, especially youth, in prevention of substance abuse and to help abusers seek treatment.

Operating staff for the program's three components - early intervention, alcohol and drug prevention and health promotion - are located on the housing sites with prevention services extending to classrooms of local schools. There is a critical need to expand this program over the next three years to three additional housing sites.

Funds are requested to cover the first year's expansion to three additional sites. The total cost of \$750,000 will provide for the following additional staff:

- 2 social workers
- 2 community relations specialists
- 2 treatment counselors
- 4 outreach workers
- 4 prevention specialists
- 1 secretary
- 1 receptionist/typist

### 4. Enhance Accessibility of Positive Role Models for Black Youth

To compensate for a diminution of traditional values which particularly affects young Black males, utilization will be made of the city's current drug prevention consortium to establish one-on-one activities, group activities and, where appropriate, counseling, to provide a different, more positive view for young Black males in the District.

A demonstration program will be developed to emphasize values and self-worth, using a cross-section of citizen role models. Community-based organizations that comprise the prevention consortium will be asked to conduct training of selected adult males in the community to serve as role models and relate to Black youth. The estimated cost for this program is \$300,000.

Program Budget Summary

|                                                                   |                |
|-------------------------------------------------------------------|----------------|
| 1. Expanded Clinic Operating Hours                                | \$1,275,000    |
| 2. Training in Techniques for Treating<br>Cocaine/crack Addiction | 150,000        |
| 3. Expand Prevention/Treatment at<br>Public Housing Sites         | 750,000        |
| 4. Role Models for Black Youth                                    | <u>300,000</u> |
| Total Agency                                                      | \$2,475,000    |

**J. CORPORATION COUNSEL  
JUVENILE SECTION OF THE CRIMINAL DIVISION**



CORPORATION COUNSEL  
Juvenile Section of the Criminal Division

Overview and Problem Statement

Prosecutorial functions for juvenile cases are performed by the Juvenile Section of the Criminal Division of the Office of the Corporation Counsel. Juvenile arrests have sharply increased over the past several years, particularly for drug law violations. From 1983 to 1987, juvenile drug arrests increased 331 percent from 439 to 1,894. Consequently, cases petitioned for formal court processing by the Office of the Corporation Counsel have also increased, and anticipated increases in police strength will drive those numbers even higher. In fiscal year 1988, 5,400 juvenile cases were presented for prosecution and, of that number, 3,600 cases were petitioned for presentment to the court. Approximately 40 percent of petitioned cases involved drug charges.

Program Description

For each juvenile court judge conducting delinquency trials, a five person prosecutorial team is needed to prepare and try cases. In addition, one legal technician and one clerical assistant are needed to support the lawyers. A coordinator serves as the bridge between legal staff, court probation and the youth correctional agency, Youth Services Administration. Currently, two judges are conducting trials, but an increase of one juvenile trial judge will result in a corollary need to expand these prosecutorial services. Additional staff needs are as follows: five attorneys, one special assistant, one legal technician and one coordinator at a cost of \$303,397.

Program Budget Summary

|                                         |           |
|-----------------------------------------|-----------|
| 1. Prosecutorial Services for Juveniles | \$303,397 |
| Total Agency                            | \$303,397 |

**K. DISTRICT OF COLUMBIA PUBLIC SCHOOLS**

## DISTRICT OF COLUMBIA PUBLIC SCHOOLS

Overview and Problem Statement

There is a lack of transitional programming for youth re-entering the D.C. public school system from the juvenile justice system. Many of these youth experience special problems, often drug-related, which interfere with their educational progress. The lack of appropriate adjustment is often manifested in high dropout rates, disruptive behavior, and truancy. Experience has shown that every dollar spent on these extremely high risk youth will save hundreds of dollars later in the cost of likely criminal behavior. The number of these youth requiring transitional programming has steadily increased over the last several years.

## Program Description

Transitional Support Services for Court-Involved Youth

The D.C. Public School system proposes a program that will provide special learning activities to identified youth returning from the juvenile justice system to the public school system. These activities include:

1. individual counseling
2. drug counseling
3. self-esteem building
4. decision-making skills
5. additional competency based instruction
6. drug prevention education

This city-wide program will require funds to hire thirty (30) additional teachers and counselors, two (2) administrators, two (2) clerical workers, and training materials. The program will operate at two selected school sites and the total cost will be \$1,223,632.

Program Budget Summary

- |                                   |             |
|-----------------------------------|-------------|
| 1. Public School Initiatives --   |             |
| Establish Transitional Support    |             |
| Services for Court Involved Youth | \$1,223,632 |



THE DISTRICT OF COLUMBIA  
WASHINGTON, D.C. 20004

MARION LARRY  
1-11

May 5, 1989

The Honorable Brock Adams  
Chairman, Subcommittee on Appropriations  
for the District of Columbia  
United States Senate  
Hart Office Building  
Room SH 513  
Washington, D.C. 20510

Dear Senator Adams:

I am writing as a follow-up to the recently held subcommittee hearing on the District's response to drug sales and drug use and to the targeted murders that these activities are producing in our residential neighborhoods.

I want to reassure the subcommittee that this government is doing all that it can to reorder its priorities and to shift its resources to the pressing demands for improved law enforcement and the overall eradication of drug sales and drug abuse in the District of Columbia. The war on drugs has been, and it continues to be, the number one priority of my administration. I believe that the District's revised FY 1989 and proposed FY 1990 budgets clearly demonstrate the city's shifting focus to put more and more of its resources into public safety agencies to fight this war.

District's Priorities on Public Safety

The continuing shift in the District's priorities to public safety is clearly evident in the revised FY 1989 and proposed FY 1990 budgets now being considered by the Congress. The budgets you have before you today represent some of the hardest decisions of this government, which very often has had to choose between one excellent program and another to ensure that public safety programs are adequately funded. The increasing allocation of the city's resources to public safety areas has not been accomplished without pain or as a result of increased revenue growth and new tax proposals alone. Indeed, \$78.9 million has been cut from the approved FY 1989 budgets, with across-the-board rescissions amounting to \$22.4 million of those reductions. The remaining \$56.5 has been painfully reduced through major resizing efforts that have left some agencies at spending levels below those experienced in FY 1988. The Department of Public Works, several agencies in the Governmental Direction and Support title, Loans and Interest, the Department of Housing and Community Development, the Department of Consumer and Regulatory Affairs, the Department of Employment Services, the Department of Recreation, and the

University of the District of Columbia have all taken budgetary reductions in the revised FY 1989 budget. In the revised FY 1989 budget, for example, nearly 70 percent of all agencies will take reductions when compared with the approved FY 1989 budget. Further, about 20 percent of all agencies will spend less in the revised FY 1989 budget when compared with actual expenditures in FY 1988.

The proposed FY 1990 budget carries forward the key funding decreases of the revised FY 1989 budget. The FY 1990 budget, when compared with the congressionally approved FY 1989 budget, reduces spending in nearly half of all agencies and limits most agencies to the increases needed to cover negotiated pay requirements. Agencies in personnel, administration, finance, and other governmental support areas have been hit the hardest. Despite increases for negotiated pay adding more than 6 percent to the personal services base in fiscal years 1989 and 1990, those agencies--all of which are labor intensive--will actually experience negative budgetary growth in the combined periods. The Department of Administrative Services, for example, will have an FY 1990 budget that is \$1.0 million less than actual spending in FY 1988.

More than 1,300 authorized continuing full-time positions have been removed from the FY 1989 revised budgets and carried through into FY 1990. Of the nearly 1,400 new continuing full-time positions added to the FY 1990 budget, 1,144, or 82 percent, are in public safety agencies. Virtually all the rest are in human services and education agencies.

#### Growth in Key Public Safety Agencies

Between FY 1988 actual expenditures and the FY 1990 proposed budget, District expenditures are planned to grow by approximately 13 percent overall. Moreover, all key public safety agencies--police, corrections, courts, parole, pretrial services, and the public defender--will show growth rates exceeding the overall growth of the city's budget.

The Metropolitan Police Department will experience an increase of \$34.7 million, or 17.6 percent, from the FY 1988 spending level to the FY 1990 proposed budget. The FY 1990 request will add 300 new officers to the 200 new officers authorized in the FY 1989 congressionally approved budget. Thus, with congressional approval to replace the 118 police officers whose disability retirements have been accelerated, the city is providing over a two-year period, in these planned budgets, 618 new police officers to fight the District's war on drugs.

Approximately \$13.8 million, an increase of 18.4 percent, has been added to the budgets of the District's courts in the proposals now before the subcommittee. Much of the resources of the courts have been shifted to respond to the city's war on drugs. Nearly 50 percent of the Superior Court's judicial manpower is allocated to the criminal caseload, even though that caseload represents less than 30 percent of the total caseload. Combined with the budget of the Superior Court's social service efforts, more than 60 percent of the Superior Court's budget is directly devoted to fighting this



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city's war on drugs. Additionally, the Superior Court has adopted an accelerated felony calendar to ensure that it can address preventive detention cases within the statutory limits. Since 70 percent of criminal defendants in the Superior Court test positive for drugs, virtually all felony courtrooms are addressing the products of the District's war on drug.

The Department of Corrections will also experience a growth rate greater than the overall growth of the District's budget. Nearly \$33.0 million, a 16.9 percent increase, will be added to that department in the revised FY 1989 and the proposed FY 1990 budgets. Virtually all the increases in the Department of Corrections are associated with a burgeoning population as a direct result of the District's war on drugs. The city's capital budget proposals also ask for major increases in capital construction projects at the District's correctional facility at Lorton, Virginia, as well as in the District of Columbia. Of the \$260.0 million in new capital authority requested in the combined revised FY 1989 and the proposed FY 1990 budgets, 58 percent, or \$150.0 million, is targeted to new prison construction and major improvements in existing facilities. The District's recognition of the need to send a strong message to drug dealers and pushers is evident.

The District's Board of Parole, Public Defender Service, and Pretrial Services Agency each are experiencing budgetary growth in excess of the overall growth in the District's budget between FY 1988 and FY 1990. The Board of Parole will grow by 40.5 percent, with an increase of \$1.6 million; the Public Defender Service will grow by 34.2 percent, with an increase of \$1.8 million; and the Pretrial Services agency will grow by 28.3 percent, with an increase of \$689,000. Clearly, the District's budgetary response reflects the shifting focus on public safety priorities.

#### Other District Governmental Programs and Coordinated Responses

While I have addressed in some detail the continuing focus of the District's resources on public safety agencies, I want to express to this subcommittee that the response to the violence associated with drug use and abuse in the District of Columbia is not limited to public safety alone. Rather, the District's approach is a comprehensive one that recognizes prevention and treatment as major partners in our war against drugs. Let me highlight some of those programs now.

Our major prevention and treatment efforts are targeted to those residential areas of the District in which drug use, abuse, and violence are most prevalent. We have also developed programs in the Department of Recreation, the Department of Employment Services, the Department of Public and Assisted Housing, and the Department of Human Services to provide the kind of supportive services that we believe are necessary to complement our law enforcement efforts.

In the Department of Human Services, we are expanding our drug treatment programs and will open two new treatment centers in Wards 7 and 8. The budget for the Alcohol and Drug Abuse Substance Administration (ADASA) will be \$31.6

-4-

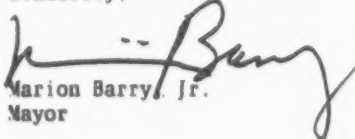
million in FY 1990, a growth rate of some 19 percent and \$5.2 million over actual FY 1988 spending. The Youth Services Administration will increase by \$9.1 million. This represents a 29.4 percent increase in just two years and focuses resources on incarcerated youths as well as those identified as at risk. Consistent with citizen initiative No. 17, the District will target more and more of its limited resources on sheltering the homeless. The District will spend nearly \$32.0 million to shelter the homeless, to prevent homelessness, and to provide emergency assistance in FY 1990. Compared with FY 1988 expenditures, this represents a 21.3 percent growth rate and a \$5.6 million increase. My administration's philosophy of moving people from dependency to self-sufficiency is an integral component of the District's drug abuse prevention fabric. Woven throughout our government are numerous programs that address poverty and despair. Unfortunately, the plight of urban America makes our citizens more vulnerable both to the short-term view of economic freedom through the sale of drugs and to the targeted murders--the product of drug economics.

The District has also targeted existing resources--coordinated across city agencies--to "Operation Fightback," a multifaceted antidrug-abuse effort focused on prevention and educational awareness. The District has lead, and continues to lead, the nation in the use of local funds for low- to moderate-income housing, job training, and productive summer youth employment programs.

The public schools and the public libraries each have drug prevention, education, and awareness programs. The schools are targeting more and more of their education efforts to lower grades and are working closely with teachers and school counselors to identify and reach children at risk.

I want to thank you and other members of the subcommittee for your unflagging interest in our city. In the past, you have not only participated in the greatness of this city, but you have also faced its challenges head-on. The federal government, as the District's major employer, benefits--as do all our residents and visitors to the nation's capital--from a vibrant, wholesome, stimulating, and safe environment. Our alliance and resolve now in meeting this community's most difficult challenge of the decade must be strengthened and nurtured if we are to succeed. I look forward to a growing partnership with you as we continue together to make a profound difference and improvement in the quality of life of those who choose to live, to work, to visit, and to do business here.

Sincerely,

  
Marion Barry, Jr.  
Mayor

cc: Timothy B. Leeth  
Staff Assistant

MAYOR'S LEADERSHIP ANTI-DRUG COUNCIL

CITY OF PHILADELPHIA

PHILADELPHIA DRUG CRISIS: A STRATEGY FOR COMMUNITY  
PRESERVATION

November 1, 1988

## MAYOR'S LEADERSHIP ANTI-DRUG COUNCIL

## CITY OF PHILADELPHIA

PHILADELPHIA DRUG CRISIS: A STRATEGY FOR COMMUNITY  
PRESERVATION

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## STATEMENT FROM THE MAYOR

W. WILSON GOODE

The City of Philadelphia is in the midst of a drug crisis. Citizens from all walks of life are affected by the increase in the use and trafficking of illegal substances. Innocent young children caught in the crossfire of warring drug lords are the most tragic victims, but no one is untouched by the drug menace in this City. Individuals are afraid to venture past their homes, and scarce City dollars must be diverted to anti-drug efforts, thus, reducing support that can be channeled to other areas of pressing importance.

To better deal with this problem, this summer I announced the establishment of the Mayor's Leadership Anti-Drug Council. The seventeen individuals that comprise the group provide overall anti-drug policy guidance and direction, and this document is one product of their efforts. The Council has met its challenge well, and the five primary purposes of this report have been achieved:

- \* To serve as a basic information source by cataloguing existing major anti-drug programs and initiatives.
- \* To identify programmatic areas that need to be strengthened or expanded.
- \* To serve as a springboard for the generation of the legislative and financial resources as well as the internal reorganization and restructuring needed to rectify weaknesses or omissions in our current activities.
- \* To describe the coordinated steps the City will undertake to make inroads against this crisis in the upcoming year.
- \* To establish a framework in which an on-going leadership discussion can foster a developing strategy for controlling and challenging the impact of drugs on community life in Philadelphia.

I believe that our efforts to date constitute a strong beginning. Formerly besieged neighborhoods are reporting some relief. Thanks to the sacrifices of many community leaders and better coordinated City initiatives, the drug dealers are beginning to wake up to a basic message: We will not tolerate drugs or drug dealers in our communities.

This document outlines a comprehensive strategy that will build on these initial partial victories. The road we must travel together is long and the obstacles are great, but with faith, courage and perseverance, I am convinced that we will ultimately declare victory over drugs. There is no greater priority for this administration, and with the continued help and support of the overwhelming majority of law abiding citizens of this City, I am convinced that we will prevail.



## INTRODUCTION

The roots of drug use and trafficking among youth are varied and complicated; certainly no one primary cause can be singled out. Economic and social factors such as broken families, welfare dependency, poor housing conditions, joblessness or low paying, low prestige "dead-end" jobs and the absence of basic educational skills all play a role in contributing to the emergence of a drug lifestyle. Factors such as low esteem and physical and psychological abuse also help shape the character of both at-risk youth and those who have crossed the threshold into the drug culture. Traditional values of honesty, compassion and self-respect, which in the past equipped young people with the tools to resist the allure of easy but tainted money have been seriously eroded, leaving youth with no moral anchor in an increasingly ambiguous world. To deal with the drug crisis effectively, each of these areas needs to be acknowledged and addressed as the serious contributing factors to drug use and trafficking among youth that it is.

This document outlines a comprehensive strategy aimed at ameliorating the drug crisis in Philadelphia, with particular emphasis placed upon young residents of the City. This strategy will address major issues in the areas of prevention, intervention, treatment and criminal justice and calls for cooperation among government, schools, business and industry, the clergy, traditional youth groups and community based organizations. The chapters that follow will describe: the nature and scope of the problem; existing anti-drug efforts; gaps that need to be addressed; the City's anti-drug agenda for the current fiscal year; legislative and funding requirements to effectively deal with the problem and a proposed anti-drug strategy for at risk youth.

To develop the necessary strategy and monitor its implementation, Mayor Goode appointed the Leadership Anti-Drug Council this past summer. This report is the product of its efforts.

Overall, two primary approaches have emerged as necessary ingredients to a successful anti-drug campaign:

- . Existing community based initiatives are fundamental to a successful anti-drug campaign, and they must be supported and augmented to the greatest degree possible.
- . The City, through its funding mechanisms, and in concert with private foundations and the business community, must support programs that both seek to re-introduce basic values to, and cultivate leadership skills in, young people in all areas of this City.

Philadelphia's ability to deal with the drug crisis is contingent upon the strength of its constituent communities. The resolve and initiative demonstrated by community groups in the wake of the drug-related tragedies involving innocent young people this

past summer were integral to preventing even more serious disruption to community stability and security. Therefore, the City's short term strategy for the drug crisis will focus primary attention to the issue of sustaining and expanding community based anti-drug efforts.

The City's strategy is also heavily predicated upon securing the requisite resources from the state and federal governments. It is clear that locally based efforts, no matter how well intentioned and coordinated, cannot suffice in light of the regional, national and international dimensions of the problem. Hence the recommendations and strategies contained herein will serve as the springboard for the City's legislative and regulatory agendas at the state and federal levels. These agendas are being developed in conjunction with other counties at the state level and with national organizations such as the U.S. Conference of Mayors and the National Association of Criminal Justice Planners at the federal level.

This document focuses on year one of a comprehensive three year strategy needed to make significant inroads against the problem of drug use and abuse by young people in this City. The strategies for years two and three will be released at corresponding times in subsequent years and will reflect the progress that has been made, the unmet needs and the issues that will have emerged during the next twelve months.

## MAYOR'S LEADERSHIP ANTI DRUG COUNCIL MEMBERS

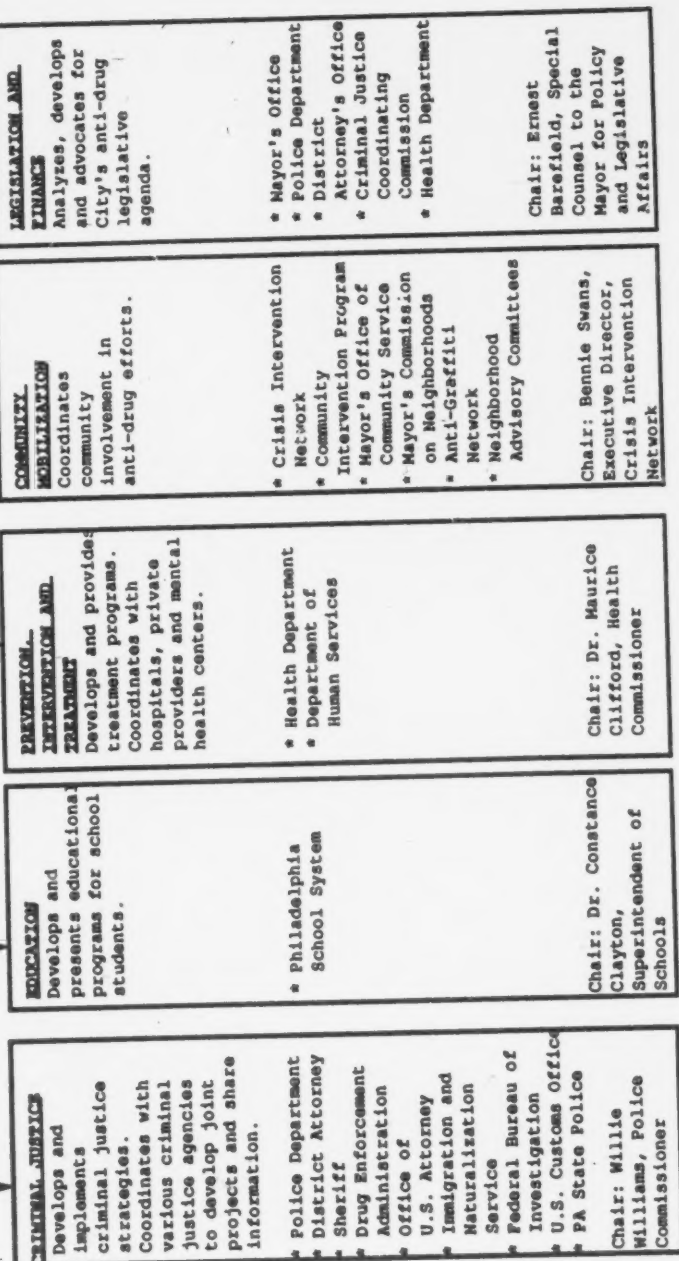
|                           |                                                                          |
|---------------------------|--------------------------------------------------------------------------|
| Honorable W. Wilson Goode | Chair                                                                    |
| Honorable William Gray    | Senior Congressman from Philadelphia                                     |
| Honorable Hardy Williams  | Chair, Philadelphia Delegation, Pennsylvania Senate                      |
| Honorable Dwight Evans    | Co-Chair, Philadelphia Delegation, Pennsylvania House of Representatives |
| Honorable William Rieger  | Co-Chair, Philadelphia Delegation, Pennsylvania House of Representatives |
| Honorable Joseph Coleman  | President, Philadelphia City Council                                     |
| Honorable Angel Ortiz     | Member, Philadelphia City Council                                        |
| Dr. Constance Clayton     | Superintendent, Philadelphia Schools                                     |
| Edward Montgomery         | Chairman, Greater Philadelphia Chamber of Commerce                       |
| George Butler             | Chairman, Greater Philadelphia First Corporation                         |
| Reverend William Moore    | President, Black Clergy of Philadelphia                                  |
| Father Michael Picard     | Archbishop's Commission on Human Relations                               |
| Lottie Chinn              | West Oak Lane Concerned Citizens                                         |
| Rodnell Griffin           | Hunting Park Neighbors                                                   |
| Harold James              | Direct Truth Anti-Drug Program                                           |
| Frances Walker            | Parents Against Drugs                                                    |
| Jewell Williams           | Susquehanna NAC                                                          |

# MAYOR'S LEADERSHIP ANTI-DRUG COUNCIL

Composed of Community, Business, Religious, Civic Leaders and Public Officials

Chair: W. Wilson Goode, Mayor

## Operating Groups



City of Philadelphia  
Anti-Drug Strategy  
Timeline

|                                             | 1988 |     |     |     | 1989 |     |     |     |     |     |     |     |     |     |     |     |     |
|---------------------------------------------|------|-----|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
|                                             | Jul  | Aug | Sep | Oct | Nov  | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov |
| 1 Mayor's Leadership Anti-Drug Council      |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 2 (formation)                               | O    | o   | o   | X   |      |     |     |     |     |     |     |     |     |     |     |     |     |
| 3                                           |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |
| 4 Leadership Council's Report to            |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 5 Citizens of Philadelphia                  | O    | o   | o   | o   | o    | o   | X   |     |     |     |     |     |     |     |     |     | X   |
| 6                                           |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |
| 7 Adoption of City Health Department's      |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 8 Annual Drug & Alcohol County Plan,        |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 9 and incorporation into Leadership         |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 10 Council strategy                         | O    | o   | o   | o   | o    | o   | X   |     |     |     |     |     |     |     |     |     |     |
| 11                                          |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |
| 12 Adoption of Coordinated Criminal         |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 13 Justice Anti-Drug Strategy for State &   |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 14 Federal Assistance by the Criminal       |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 15 Justice Coordinating Commission &        |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 16 Incorporation into Leadership Council    |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 17 strategy                                 | O    | o   | o   | o   | o    | o   | X   |     |     |     |     |     |     |     |     |     |     |
| 18                                          |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |
| 19 Development of legislative strategy      |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 20 for Human Services & Criminal Justice    | O    | o   | o   | o   | o    | X   |     |     |     |     |     |     |     |     |     |     |     |
| 21 agenda                                   |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 22                                          |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |
| 23 Development of Education & Community     |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 24 Mobilization strategies for              |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 25 Leadership Council                       | O    | o   | o   | o   | o    | o   | X   |     |     |     |     |     |     |     |     |     |     |
| 26                                          |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |
| 27 Submission of County Drug & Alcohol Plan |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 28 by CODAAP to State Dept. of Health       | O    | o   | o   | o   | o    | o   | X   |     |     |     |     |     |     |     |     |     | X   |
| 29                                          |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |
| 30 Submission of Coordinated Criminal       |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 31 Justice Anti-Drug Strategy by the        |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 32 Criminal Justice Coordinating Commission |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 33 to the Pennsylvania Commission           |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 34 on Crime & Delinquency                   | O    | o   | o   | o   | o    | o   | X   |     |     |     |     |     |     |     |     |     | X   |
| 35                                          |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |
| 36 Development of proposal for High Risk    |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 37 Youth Intervention Project for Community |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 38 Based Organizations                      | O    | o   | o   | o   | o    | o   | X   |     |     |     |     |     |     |     |     |     | X   |
| 39                                          |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |
| 40 Introduction & lobbying for Human        |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 41 Services & Criminal Justice priorities   |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 42 by the Legislative & Finance             |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 43 Operating Group                          | O    | o   | o   | o   | o    | o   | X   |     |     |     |     |     |     |     |     |     | X   |
| 44                                          |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |
| 45 Implementation of new & expanded         |      |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     | *   |
| 46 Treatment Programs                       | O    | o   | o   | o   | o    | o   | X   |     |     |     |     |     |     |     |     |     | X   |



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## MAYOR'S LEADERSHIP ANTI-DRUG COUNCIL

## CITY OF PHILADELPHIA

## PHILADELPHIA DRUG CRISIS: REPORT TO THE COMMUNITY

## I. PROBLEM STATEMENT

Over the past several years, drug abuse and trafficking in Philadelphia have grown to epidemic proportions. More people are using drugs and seeking treatment than ever before, while the drug trade is more violent than it has been in the past.

As a result, residents throughout Philadelphia, but especially in inner city low income areas, have seen their neighborhoods and communities overrun by drug users. Families are facing even greater threats to their continued existence and there is a clear danger that a generation of persons of lower social-economic status, especially minority children, may be lost to substance abuse and a life of anti-social activity.

A major factor in the acceleration of the drug crisis has been the introduction of crack, a cheap and highly addictive form of cocaine. Dealers and users are appearing in younger age groups. It is no longer unusual to have youth in their early teens deeply involved in drug-dealing. Violence associated with drugs sharply increased during the summer of 1988. Both the human service and law enforcement communities are experiencing demands unprecedented in nature and scope.

Perhaps the most devastating statistic to date, demonstrating the epidemic proportions of the drug problem in Philadelphia, is that through a random urinalysis testing program conducted in August of 1988, approximately 80% of all persons arrested for any crime tested positive for drug use, with 70% of all those arrested testing positive for cocaine use alone.

Currently the treatment system is being driven by cocaine abusers seeking treatment. Every indicator, including hospital emergency room mentions, Medical Examiner's reports, treatment admissions and arrests, shows significant increases of cocaine usage. No other substance shows these increases. In fact, other substances exhibit a downward trend. Perhaps most dramatic is an increase of 243% in cocaine related admissions to treatment centers between the beginning of 1986 and the end of 1987. Cocaine admissions currently account for over 44% of all admissions to the Coordinating Office of Drug and Alcohol Abuse Programs (CODAAP) funded treatment system, and women currently make up approximately 37% of all cocaine admissions. The majority of these women have children who are at

risk for abuse, neglect and even death. Additionally there is an overwhelmingly positive relationship between growing up in a household in which adults are substance abusers and becoming a substance abuser one's self. There is also a positive correlation between being physically or psychologically abused and becoming a substance abuser. Therefore, steps taken to address the problem of substance abuse by adults will result in reduced dependency and use by children and youth.

From FY 1984-1985 to the end of FY 1986-1987 there have been over 53,500 admissions into drug and alcohol treatment programs. Cocaine admissions alone have increased by 117% since 1985. In FY 1978-79, there were 87 primary cocaine users admitted to Philadelphia treatment programs. In FY 1987-88, primary cocaine admission in Philadelphia increased to 7,681. Philadelphia also remains a major methamphetamine activity area on the East Coast.

The treatment system is currently operating at or near capacity. This is especially true of residential programs. In the period January - March 1988 residential programs reported waiting lists of 2200 persons. In the second quarter (April - June 1988) the same programs reported waiting lists of 1717 persons. It is absolutely critical that the treatment system be able to respond promptly to individuals who are seeking treatment.

Since no population based surveys have been conducted -- nor are any contemplated -- there are no survey estimates of the prevalence of substance abuse. However, given the demand for treatment, Philadelphia is clearly in need of additional residential treatment capacity.

It is estimated that each major drug trafficker in the Philadelphia area conducts \$7.5 million to \$10 million in drug related business annually. These drug violators are often highly organized and their drug sales and distribution networks usually impact on the larger Philadelphia and Southeastern Pennsylvania region. Enforcement efforts for these types of cases involve prolonged and costly investigations and prosecutions.

The number of open street drug markets and "gate houses" is growing, causing neighborhood disruption and increased citizen complaints about street drug trafficking. The criminal justice system faces a problem that is increasingly demanding more attention, effort and resources.

Narcotics arrests in Philadelphia have continued to grow significantly since 1980 when there were approximately 4,720 such arrests; by 1987 the number had risen by 89.4% to 8,940.

For the period of January to August 1987 there were 4,670 drug arrests, while for the same eight month period in 1988 there were 6,766, an increase of 44.9% in one year. Not only is the increase expected to continue in the future, but based upon the level of demand and supply on the streets, it is estimated that Philadelphia could reach an annual drug arrest figure of 12,000 - 16,000 by the end of 1990.

In 1986 Philadelphia's drug arrests constituted 45.7% of the total statewide drug arrests and 72.6% of the total metropolitan Southeastern Pennsylvania drug arrests. It is expected that Philadelphia

will continue to account for a significant majority of total statewide and regional drug arrests for 1988 and 1989. The City sits as a multi-state and metropolitan "hub," with major international and national air, rail, bus and highway traffic. These factors make Philadelphia a major regional drug market for trafficking and sales in the surrounding counties, statewide and in the three state area.

A significant number of Philadelphia drug arrests during the implementation of a special law enforcement effort entitled "Operation Fishnet" were of persons living outside the City of Philadelphia. A recent Philadelphia Inquirer article documented that drug dealers in the state of Delaware purchase their illegal drug supplies in Philadelphia (September 30, 1988/Mark Reed "Delaware's Drug War: Philadelphia The Source, I-95 The Supply Line.") The fact is that Philadelphia's drug problem is a statewide and regional drug problem, and cannot be treated in isolation. The attention required for an effective coordinated and comprehensive anti-drug response in an urban and regional system demands sufficient funding and resources, with a recognition that Philadelphia significantly impacts on the greater metropolitan and multi-state area. While the City of Philadelphia is dedicating itself to such a commitment, the necessary funding and resources from the state and federal governments are in short supply at the local level.

In addition to the illegality of drug sales, drug trafficking plays a major role in other crimes. Drug traffickers often use violence to control and expand their trade, and addicted users commit more and more burglaries, robberies and assaults in the "feeding" of their habit. For example, more than half of the 355 homicides in Philadelphia in 1987 were drug related. Research from the US Department of Justice's National Institute of Justice also indicates that drug use accelerates criminal behavior.

The increase in drug arrests is also reflected in the increased caseload of the City's judicial system. Drug case dispositions in Philadelphia Common Pleas Court have increased from 239 in 1980 to 1,523 for the first eight months of 1988. It is expected that drug cases in Common Pleas Court for all of 1988 will exceed 2,000 cases, an increase of 736% since 1980. In 1980 there were 643 adults on probation for a drug charge, a figure that grew to 1520 in 1987 and to 2521 for the first eight months of 1988.

Philadelphia Municipal Court is also experiencing an increase in drug case preliminary arraignments, preliminary hearings and drug trials. In 1980 there were 4,663 drug case dispositions while there were 6,008 such dispositions for the first eight months of 1988. It is projected that the Municipal Court will exceed 9,000 drug case dispositions for all of 1988, an increase of 93% since 1980.

In Philadelphia's Juvenile Court in 1986, 724 juveniles were charged with a drug offense. For the first six months of 1988, there were 687 cases where juveniles had a drug offense as the major charge. In all of 1986 there were 312 cases where a juvenile was placed on probation for a drug offense, while during the first 6 months of 1988 there have been 288 such cases. If this statistical increase continues through 1988, and it is expected to do so, then 1988 will see nearly an 80% increase in juvenile



cases where a drug offense was the major charge, or the juvenile was placed on probation for a drug offense.

During the month of June, 1987, about 196 of the total persons admitted to the Philadelphia county prison had direct drug charges of possession, use, or delivery of a controlled substance. During December, 1987 there were 327 admissions that had a drug charge, and 422 for March 1988.

It is expected that the number of admissions with a drug charge will decrease with the federal prison cap of 3,750, and that drug admissions will remain between 250-450 per month. While the prison cap may reduce drug admissions, the cap will not solve the problem of how to handle those being denied admission under the prison cap moratorium and therefore, "on the street."

The dramatic increase in drug arrests and cases has an impact on the existing operations of the Police, District Attorney, Public Defender, Courts, Probation, Pretrial Services, Sheriff, and Clerk of Quarter Sessions. These increases strain current levels of operation for those agencies and inhibit their ability to function in an effective manner.

Clearly the significant increases in both Philadelphia drug arrests and court caseloads threaten to strangle the City's criminal justice system and thwart efforts aimed at enforcing the law, deterring the drug offender and providing treatment alternatives to offenders.

Law enforcement faces the challenge of restoring the quality of life in our communities by working to reduce drug activity and the negative and too often violent environment that surrounds it, while still providing other essential and expected justice services. The problems involved in meeting this challenge are complicated by the current demand for illegal drugs, the enormous resources of drug dealers and a network of supply which is well organized, well funded and motivated by greed and huge profit. Clearly the problem of addressing the drug situation is impacting upon the justice system's ability to deliver other needed services.

With respect to our young, the National Institute of Drug Abuse reports that the average age of first time drug users in the United States is now 13. Other studies conclude that substance abuse contributes to the school dropout rate, teen pregnancy, child neglect and the dissolution of the family. More than half of all adolescent suicides are drug related.

Appendix "A" in the companion document includes additional and more explicit criminal justice and human services data.

The epidemic of drug abuse also fuels another rapidly growing crisis: infection with the AIDS virus. Intravenous drug users are the single population group at highest risk of infection, and there is growing evidence that non-intravenous cocaine abusers are also at higher risk of AIDS virus infection as well. As the cocaine epidemic spreads among low-income Philadelphians, the likelihood that addicts will turn to prostitution for their drug increases the spread of cocaine abuse among

traditionally sexually active teenagers and young adults. This has horrible implications for the spread of AIDS in that population. The drug abuse epidemic provides the critical link for the spread of AIDS infection among women and their children as well. Overwhelmingly, the epidemic of AIDS among women has been shown to result from their own drug use or that of their sexual partners. As the incidence of drug addicted babies and infant mortality increases, so to will the number of babies being born afflicted with AIDS. To appreciate the enormity of this problem, it must be recognized that the over 40,000 Philadelphians already infected with the AIDS virus are, for the most part, the same Philadelphians affected by the drug culture; most are unaware of their infection and continue to spread the virus through their drug use and sexual behavior. By combatting the drug problem, significant inroads can be made against the ravages of AIDS.

Clearly, there is no easy solution available to effectively solve the drug crisis. Indeed, effective solutions to the drug problem must be comprehensive; no one approach can be successful. A comprehensive approach must include law enforcement, education, treatment, prevention, intervention and community involvement. Broader issues such as the need for decent jobs, job training, adequate housing, and well-planned juvenile intervention programs for those hardest hit by the drug epidemic must be a part of any long term strategy.

What follows is a presentation of currently existing anti-drug programs and a listing of especially acute problem areas that need to be addressed for this multi-pronged attack.

## II. DESCRIPTION OF EXISTING PROGRAMS AND EFFORTS

### A. EXISTING SCHOOL-BASED PREVENTION/INTERVENTION PROGRAMS

#### 1. STANDARDIZED PUBLIC SCHOOL CURRICULUM IN HEALTH EDUCATION

In September 1984, the School District of Philadelphia adopted and implemented a standardized curriculum in Health Education for kindergarten through grade 12. At each grade level, the standardized curriculum includes a unit on substance abuse. This unit covers the areas of alcohol, tobacco and drugs, with content appropriate to the student's grade level placement and current in terms of knowledge of field.

#### 2. SCHOOL PROGRAMS - PUBLIC AND PAROCHIAL SCHOOLS

A major portion of substance abuse prevention programming in Philadelphia takes place in the schools, both public and parochial. The philosophy behind prevention programs is that drug abuse results from a combination of social influences from peers, family members, the media and from certain personal characteristics such as low self-esteem, high levels of anxiety and a strong need for group acceptance.

Existing prevention services include peer-counseling, values clarification, training for teachers in effective education, parent education relating to drugs and alcohol, parent effectiveness training, and a wide range of recreational and leisure time activities designed to improve the self-image of students and to enhance problem-solving, coping mechanisms and refusal skills.

The approach in the elementary grades is through implementation of the "Here's Looking At You 2000" drug and alcohol prevention curriculum and teacher training in the use of the curriculum. "Here's Looking At You 2000" is the model prevention curriculum sponsored and endorsed by the Pennsylvania Department of Education and currently in use in over 500 school districts. In the upper grades, the approach becomes more student-centered, involving peer-group training and counseling and, where appropriate, early intervention strategies for students and their families.

These programs are operating in 21 public elementary schools, 20 public junior high schools, 24 public high schools and 17 parochial schools.

#### 3. PROJECT DARE (Drug Abuse Resistance Education)

This project in collaboration with the Philadelphia Police Department began in the school year 1987/88. Fifteen officers assigned to Project DARE

serve as instructors rotating through several different schools during the year. This project provides drug and alcohol information and conducts activities designed to equip youths with skills to resist peer pressure, develop coping and decision making skills and assertiveness, and to offer alternatives to drugs and alcohol.

In the school year 1987/88, 56 schools were served by Project DARE. It is expected that during the school year 1988/89, 84 schools will be part of this program.

#### 4. YOUTH TRAFFIC SAFETY COUNCIL

The Youth Traffic Safety Council of Philadelphia is funded by PennDOT through CODAAP. Students from eight public and parochial high schools make up individual school-based YTSCs. Their purpose is to raise the community's awareness regarding traffic safety issues.

YTSCs also address the serious problem of drinking and driving. In some schools, students dress as ghosts to signify that every 23 minutes a young American dies in an alcohol related accident. Other YTSC chapters run a program to get parents and teens to sign the Students Against Drunk Driving (S.A.D.D.) "Contract for Life" in addition to arranging special assemblies dealing with teenage drinking and driving.

#### 5. STUDENT ASSISTANCE PROGRAMS (SAP)

The SAP is based on an employee assistance program model and uses a team approach to provide substance abuse prevention and intervention services for high school students who exhibit behavioral and academic problems or are experiencing stress that could be related to parent or student substance abuse.

Individual, group and family counseling are provided as well as referral to treatment agencies as appropriate and follow-up and support when the student returns to the school setting.

This program is being initiated in School District #7. Core teams of professionals from each high school within the district have received intensive training in the implementation of this project. Training focuses on chemical dependency, group dynamics, intervention skills and children of substance abusers.

It is expected that SAPs will be expanded to all School Districts in Philadelphia within the next several years.

#### 6. SCHOOL DISTRICT INITIATIVES FOR SCHOOL YEAR 1988-89

With the opening of the new school year, 1988-89, the Superintendent of Schools announced a five point program of intervention:

a. The School District will take full advantage of recently enacted provisions of state law with respect to drug trafficking near

schools. Working with the Police Department and other city agencies, the School District will establish schools and the immediate areas around them as drug-free zones. The Police Department will be asked to adopt a zero-tolerance policy within these zones.

b. The School District will continue to expand its own systemwide efforts at prevention through early intervention and education and will encourage each school to develop its own targeted substance abuse prevention plan.

c. Through an expanded Student Assistance Program, the School District will work with City agencies, health care providers and private organizations to ensure that students under stress and in distress receive appropriate treatment.

d. The School District will impose disciplinary sanctions on students who possess, use or traffic in drugs on School District premises. Students who sell drugs in school buildings, or who are caught with drugs to sell, will be expelled and referred to appropriate organizations for assistance.

e. During the next several weeks, the Superintendent will appoint a senior cabinet level officer to head and coordinate these and other aspects of the School District's Substance Abuse Prevention Program.

#### 7. CORPORATE ALLIANCE FOR DRUG EDUCATION (C.A.D.E.)

This program represents the collaboration of the School District of Philadelphia, the Police Commissioner, WCAU Radio, CODAAP and members of the corporate community. The function of C.A.D.E. is to identify and provide financial support for workshops and seminars on drug and alcohol abuse prevention for staff and students, and for the purchase of the "Here's Looking at You 2000" materials for various schools. During the school year 1988/89 it is expected that 15 schools will receive the "Here's Looking at You - 2000" materials.

#### B. EXISTING COMMUNITY BASED PREVENTION/INTERVENTION PROGRAMS

1. CODAAP DIRECT SERVICES - CODAAP's Community Drug Prevention Coordinator is responsible for responding to a broad range of citizens' concerns regarding substance abuse. Within the past year, services have included substance abuse educational presentations to community groups and organizations, representation and information dissemination at neighborhood rallies, development of parent groups at several schools, and training in substance abuse prevention and intervention for a variety of public and private agencies.

Continuing technical assistance is provided to 25 community task forces. A city-wide network of task force and other community leaders who



are committed to fighting substance abuse has been established and meets monthly. A workshop on grant proposal writing was provided for members of the network. Several of these groups received mini-grants for drug abuse prevention activities in their communities from funds provided by the Commonwealth of Pennsylvania through Pennsylvanians Aware.

During the past twelve months, the Community Drug Prevention Coordinator has worked with more than 60 neighborhood organizations reaching more than 5,000 citizens of Philadelphia around issues of substance abuse prevention.

**2. TEEN PREGNANCY PROGRAMS** - Workshops are conducted for pregnant teenage substance abusers and teen parents. These workshops address drug and alcohol information, fetal alcohol syndrome, children of alcoholics, parenting skills, child development, discipline, decision-making and stress management.

The workshops are held at community centers throughout the City, public housing projects and selected parochial high schools. Approximately 1,145 teens are reached each year through these programs.

**3. HUNTING PARK CRISIS CENTER** - This is a prevention/intervention program designed to stem the tide of drugs and drug dealing in a critical area of the City. The program is geared toward 10-18 year olds and their families. Services focus on education and information on substance abuse and recreational activities. Cross cultural issues are also addressed, because the site is an Hispanic community with many residents recently arriving from Puerto Rico. Generational issues are dealt with in the family groups since the transition from Puerto Rico to the United States can be disruptive to families. Several of the youth in this program are working as part of the Mayor's Summer Jobs Program. A community newspaper is also being developed by the youth. Approximately 120 persons a year receive services from this program.

#### **C. EXISTING TREATMENT PROGRAMS**

##### **1. OUTPATIENT METHADONE MAINTENANCE PROGRAMS**

Outpatient methadone maintenance programs dispense methadone or other approved substances in sufficient doses to achieve stabilization or prevent withdrawal symptoms. This approach differs from a "drug free" approach in that a maintenance substance is utilized throughout the treatment regimen. Slow withdrawal or outpatient detoxification of the client from the maintenance substance is considered as a part of maintenance. The ultimate goal of maintenance is to assist the client in permanently discontinuing the use of dependency producing substances.

The program also provides counseling and/or other psychotherapeutic services, generally of a limited duration on a regular and predetermined schedule. The client in all outpatient methadone programs must reside outside the facility.

CODAAP presently has contracts for services with seven treatment programs which provide these services at nine distinct treatment facilities. There are a total of 2471 methadone treatment slots available.

## 2. OUTPATIENT DRUG FREE PROGRAMS

These programs provide guidance, advice and psychological treatment as a means to deal with the client's emotional structure and concurrent problems without the use of a maintenance substance. Temporary medication for treatment of physiological conditions or as an adjunct to psychosocial treatment may be utilized in this approach.

CODAAP presently has contracts with 24 service providers for the provision of outpatient drug free services around the City. These programs make a total of 3604 treatment slots available to residents of Philadelphia.

## 3. RESIDENTIAL TREATMENT PROGRAMS

The broad definition of residential services refers to those activities aimed at the systematic application of social, psychological or medical service methods to assist individuals in dealing with patterns of substance abuse on an inpatient basis. The four specific types of residential programs contracted for by CODAAP are listed below:

### a. Inpatient Non-Hospital Treatment Programs

This includes the provision of drug/alcohol treatment services 24 hours a day. The client is required to reside at the facility. Through its contracts with service providers, CODAAP maintains the availability of approximately 350 inpatient non-hospital treatment slots in ten facilities.

### b. Shelter Programs

Shelter services include the provision to clients of food, clothing, hygienic facilities and referral services in a supportive atmosphere. Some residents in shelter programs receive outpatient counseling as part of the service spectrum offered by the shelter. CODAAP contracts with four providers to make available 82 shelter slots.

### c. Detoxification Programs

Detoxification is defined as the process whereby a drug or alcohol intoxicated or dependent client is assisted through the period of time necessary to eliminate, by metabolic or other means, the presence of the intoxicating substance or dependency factors, while keeping the

physiological or psychological risk to the client at a minimum. CODAAP funds both hospital and non-hospital detoxification services. The hospital detoxification service tends to have a higher medical emphasis and to serve a more severely impaired client than the non-hospital detoxification service.

Fifty-six detoxification slots are available at three locations.

#### d. Transitional Housing Programs

Transitional housing is a special type of shelter program for homeless substance abuse clients who are in treatment and seeking permanent living arrangements. Clients are provided a maximum stay of up to 70 days. The program provides a drug and alcohol free environment, enabling the client to avoid the street, where maintaining sobriety would be difficult.

Thirteen transitional housing slots are available at two locations.

#### 4. PARTIAL HOSPITALIZATION PROGRAMS

Partial hospitalization services include the provision of psychiatric, psychological, social and other therapies on a planned and regularly scheduled basis. Partial hospitalization is designed for those clients who would benefit from more intensive services than are offered in outpatient treatment projects, but who do not require 24 hour inpatient care.

There is presently only one program in the City offering partial hospitalization services to approximately 70 clients.

NOTE: For FY '89, CODAAP has over 70 contracts with agencies to provide substance abuse prevention, intervention and treatment services. With the exception of several specialized programs for homeless substance abusers, all contract agencies are licensed by the Pennsylvania Department of Health to provide substance abuse services. It is a state requirement that funds coming from the Pennsylvania Office of Drug and Alcohol Programs can be allocated only to licensed agencies or agencies which have applied for state licensure and which receive licenses within several months of receiving funds. It should also be noted that, in addition to the public school programs directed by the School District, which are partially supported by CODAAP funding, CODAAP is responsible for other prevention activities, both school based and community based.

Appendix C contains a listing of existing programs by geographic location. This list includes information on type of service offered, capacity and current level of utilization.

#### **D. CRIMINAL JUSTICE - DISTRIBUTION OF EXISTING PROGRAMS AND EFFORTS**

##### **POLICE**

##### **1. CENTRAL NARCOTICS UNIT**

The Central Narcotics Unit is a part of the Police Department's Special Operations Division, and is the principal unit utilized for drug enforcement by the Department. The primary focus of the Narcotics Unit is to provide city-wide enforcement of drug laws through undercover investigations. Currently, a major emphasis of the unit is to center on the identification, investigation and arrest of individuals utilizing "crack" and "gate" houses to conduct drug transactions. (Generally a "crack" house is any premises or residence, etc. where drugs are used or distributed and may or may not be fortified, while a "gate" house is more often associated as a "fortified crack house" used primarily by Jamaican drug gangs.) The other major efforts of this unit are aimed at the identification, investigation and arrest of major street corner operators with targets being the street level dealers and secondary level suppliers. Additionally, Central Narcotics also coordinates investigatory efforts with the INS (Immigration and Naturalization Service) and the Customs Service when illegal aliens are identified as part of a drug operation.

Within the Central Narcotics Unit are two sections that perform specific assignments. The Special Investigations Squad handles long-term investigations, while the Juvenile Enforcement Squad is assigned primarily to areas in and around schools and playgrounds.

##### **2. NARCOTICS STRIKE FORCE**

This unit was created specifically to deal with drug sales in certain geographical areas of the City. The focus of this unit is to target a neighborhood area which is experiencing drug problems and saturate that area with both uniform and plain - clothes officers. While enforcement of the drug laws is of primary importance, all state and local laws are vigorously enforced.

A chief part of the Narcotics Strike Force is the utilization of "Operation Fishnet." Under this effort, persons who drive into certain areas to purchase drugs are video recorded making a "buy," then stopped and arrested by uniform members of the Strike Force. Along with being arrested for violations of the state drug laws, the drug purchaser's vehicle is also seized and forfeiture proceedings instituted under the new state forfeiture law.

##### **3. JAMAICAN TASK FORCE**

This is an inter-agency organization whose purpose is to gather intelligence on Jamaican drug families, or "posses," and coordinate with

the various law enforcement organizations, the investigation and prosecution of Jamaican drug dealers for both homicide and drug violations. As has been well documented in the media, drug related homicides have increased, and it is suspected that the Jamaican drug organizations have been responsible for many of these homicides.

The Jamaican Task Force is comprised of members of the Philadelphia Police Department's Detective Bureau, Intelligence and Narcotics Units, the Drug Enforcement Agency (D.E.A.), and the Bureau of Alcohol, Tobacco and Firearms. Two assistant district attorneys (one from the homicide unit and one from the narcotics unit) serve as Philadelphia District Attorney's Office liaisons for the Task Force. The Task Force was organized in 1986.

#### 4. DRUG ENFORCEMENT AGENCY (D.E.A.) TASK FORCE

This is a joint operation composed of members of the Philadelphia Police Department and the United States Drug Enforcement Agency. Members of the Philadelphia Police Department are sworn in as officials of the D.E.A. and work with D.E.A. on drug investigations that are geared toward exposing and arresting mid to upper level drug operators and distributors. Often, the work of this particular Task Force crosses state and county lines.

#### 5. PROJECT DARE (DRUG ABUSE RESISTANCE EDUCATION)

This project provides drug and alcohol information and conducts activities designed to resist peer pressure, develop coping and decision making skills and assertiveness. The officers rotate through schools, visiting a different school each day of the week, with a concentration on 5th, 6th and 7th grades. The students in the DARE program make a formal commitment not to use drugs, and the officers make periodic follow-up visits to the schools in an effort to reinforce the student's commitment.

### DISTRICT ATTORNEY

#### 6. NARCOTICS UNIT AND DRUG RELATED PROSECUTIONS

The District Attorney's Office operates a Narcotics Unit, consisting of three assistant district attorneys, one paralegal and one secretary. This unit prosecutes strictly narcotics cases in conjunction with the Dangerous Drug Offender Unit ("DDO"), which is under the auspices of the Narcotics Unit.

Moreover, narcotics prosecutions that come into the Philadelphia District Attorney's Office are not exclusively handled by the Narcotics/DDO Unit. Most smaller, but still significant drug cases are handled throughout the office by various other units comprising the Trial Division. It is conservatively estimated that at least 25% to 30% of the caseloads of the following Trial Division Units are strictly dedicated to prosecution of narcotics cases: Municipal Court Unit, Felony Waiver Unit and the Major Crimes (Jury) Unit. A slightly higher percentage of cases in the Appeals



Unit and the Motions Unit involve drug offenses. Approximately one-third of the Juvenile Division's caseload is comprised of drug cases. A proposed policy is under consideration that would assign all narcotics cases to the Narcotics Unit, at least initially for screening and assignment to a prosecutor.

#### **7. DANGEROUS DRUG OFFENDER UNIT**

The Dangerous Drug Offender Unit of the District Attorney's Office is a specialized unit which utilizes vertical investigation and prosecution techniques. It identifies and targets for prosecution the upper-level narcotics trafficker and/or organization. By employing sophisticated and proven investigative and prosecutorial techniques, this unit seeks to eradicate major illicit drug activity. The unit also initiates forfeiture proceedings against targeted offenders and has a central repository of drug information.

#### **8. DRUG OFFENDER PROFILE EFFORT**

The Drug Offender Profile Effort is a unit within the District Attorney's Office which consists of two law clerks who prepare drug offender profiles for trial attorneys. The purpose is to better prepare the attorney for trial and to achieve more effective sentencing by recommending certain cases for the Intensive Supervision Probation Program and/or the Accelerated Presentence Investigation Drug Program.

#### **9. MOTIONS UNIT**

The Motions Unit of the Philadelphia District Attorney's Office handles all of the asset forfeiture cases for the entire office. This unit is comprised of a Chief, seven attorneys and five paralegals. Two assistant district attorneys are assigned exclusively to forfeiture litigation. There are over 10,000 forfeiture cases processed annually by the Motions Unit. Of this caseload of 10,000, 85% are targeted at forfeiture of assets of drug offenders. The property includes money, cars, houses and other property.

### **JUDICIAL**

#### **10. ACCELERATED BENCH WARRANT SERVICE ON DRUG DEFENDANTS**

The Accelerated Bench Warrant Service on Drug Defendants program is an effort of the Pretrial Services Agency of the Common Pleas Court and was designed to address the long delay between the issuance of a failure-to-appear bench warrant and the service on a drug defendant. Before the program's inception there was a backlog of 2500 such defendants in Philadelphia. A substantial number of these defendants commit additional drug related crimes while in fugitive status. This program consists of two special teams of warrant investigators who concentrate on drug defendants who are on bail or in fugitive status.

#### **11. ACCELERATED PRESENTENCE INVESTIGATION DRUG PROGRAM**

The Accelerated Presentence Investigation Drug Program of the Adult Probation Department is designed to expedite the sentencing of offenders convicted for sales and use of dangerous/narcotic drugs by reducing the processing time of presentence investigation reports for these cases from eight weeks to four weeks. The program also screens offenders for drug usage, identifies intravenous drug users, and supervises offenders on bail awaiting sentencing. Supervision includes monitoring offenders' activities, providing drug education and counseling and making appropriate referrals to drug treatment programs.

#### **12. ADDICTIVE DISEASES PROGRAM**

The Addictive Diseases Program of the Adult Probation Department provides services to persons who as a condition of their probation must attend drug treatment services, or who must submit to regular urinalysis.

#### **13. MODEL ADULT PROBATION NEIGHBORHOOD LIAISON PROGRAM**

This project of the Adult Probation Department involves a coordinated effort of all Probation units to work cooperatively with tenant associations. This project, which has recently begun to work with the Abbottsford Homes Tenant Council, will be extended to include other tenant associations throughout the City. The tenant association will provide the Probation department with names of residents involved in drug trafficking. The Probation Department will then review its listing of probationers to see if the person named is on probation, and notify the appropriate probation officer. The Probation department will also track the cases of residents who are charged with drug offenses and notify the tenant association as to the progress of each case.

#### **CRIMINAL JUSTICE COORDINATING COMMISSION**

The Criminal Justice Coordinating Commission has developed a Coordinated Criminal Justice Anti-Drug Strategy for state and federal assistance that has been ongoing since the Fall of 1986. That strategy has several parts or plans, which detail specific efforts for implementation and funding. They are:

1. Coordinated Anti-Drug Enforcement Plan  
(August, 1987)
2. Coordinated Drug Case Adjudication Plan  
(February, 1988)
3. Coordinated Anti-Drug Corrections Plan  
(Under Development)
4. Criminal Justice Anti-Drug Training Plan  
(Under Development)

Each plan details the specific problems for that area, and presents implementation initiatives. These implementation initiatives have been and will be used for requests for federal and state assistance. To date, \$2.25

million has been received to implement six projects in the Commission's Enforcement Plan.

It should be noted that the Philadelphia criminal justice system expends well over \$500 million of its own local tax dollars, with a significant portion of that for drug and drug related efforts. The four plans of the Commission's Coordinated Anti-Drug Strategy represent the specific need for approximately \$73 million in state and federal financial assistance to the Philadelphia criminal justice system for priority anti-drug needs. This \$73 million in priority needs is about 12% of our total criminal justice budget for the coming fiscal years, and underscores Philadelphia's drug problem as a statewide, regional, and multi-state one.

The Criminal Justice Coordinating Commission has taken a number of steps to implement its Anti-Drug Strategy. It assisted in the development of the City's Drug Policy announced on November 24, 1986. On February 18, 1987 criminal justice representatives gave public testimony in Harrisburg before the Pennsylvania Commission on Crime and Delinquency on the Philadelphia drug problem and the City's anti-drug needs. On August 20, 1987, the Commission submitted its Coordinated Anti-Drug Enforcement Plan to the Pennsylvania Commission on Crime and Delinquency, requesting \$4.1 million in federal grant assistance. The Pennsylvania Commission awarded \$2.25 million of that request for a Coordinated Anti-Drug Traffickers Program, which was funded for 12 months through December, 1988. A refunding request for that program was submitted to the State Commission on October 28, 1988.

The Commission has also developed a Drug Case Adjudication Plan to address the needs of the criminal justice agencies affected by the dramatic increase in drug arrests over the past few years. That plan totals \$27 million, and has yet to have any portion funded with state or federal assistance.

The Commission is currently developing a Coordinated Anti-Drug Corrections Plan to address the critical problem of overcrowding at the Philadelphia Prisons, caused in part by the dramatic increase in drug arrests.

The Commission has also developed a Criminal Justice Anti-Drug Training Plan which was submitted to the State Commission on October 28, 1988.

It should be noted that a major portion of the Commission's plans seek financial assistance through legislative, contributed and loaned resources, rather than only grants. These are detailed in the Criminal Justice and Human Services Legislative Appendix "B."

#### PHILADELPHIA PRISONS

##### 14. ADDICTIVE DISEASES PROGRAM

The Philadelphia Prisons handle about 2,400 inmates in the Addictive Diseases Treatment Program annually. The program is responsible for motivating and educating clients to develop adequate awareness and

acceptance of substance abuse problems in order to seek treatment within the prison setting.

## **2. COMMUNITY MOBILISATION**

Crisis Intervention Network (CIN) is spearheading the community mobilization component of the City's anti-drug initiative.

Since 1975, CIN has worked with the City of Philadelphia and various religious institutions, schools, block clubs, business associations and town watch groups. CIN is presently working with a variety of City agencies to address the drug problem, including the Mayor's Office of Community Services (MOCS), the Mayor's Action Center, the Mayor's Commission on Neighborhoods, the Managing Director's Office, the Coordinating Office for Drug and Alcohol Abuse Programs (CODAAP), the Philadelphia Anti-Graffiti Network and the Office of Housing and Community Development.

In working to build effective neighborhood anti-drug coalitions, CIN mobilizes existing organizations and assists in the creation of new entities when necessary. CIN also is establishing anti-drug education programs in cooperation with the School District and community-based organizations, and organizing door-to-door campaigns, mass mailings and anti-drug marches.

Another community based effort is the Community Intervention Program, CIP. Among its activities are: surveying abandoned homes that are used for drug trafficking; providing counseling and treatment for drug users; referral to residential programs; recruiting and re-training Town Watch organizations city-wide and sponsoring prevention and drug workshops with tenant councils.

### **CITY OF PHILADELPHIA EMPLOYEE ASSISTANCE PROGRAM**

The Personnel Department of the City is establishing an Employee Assistance Program for all Non-Represented and Exempt employees. There are approximately 2,000 employees in these categories within the Executive Branch of City Government. An Employee Assistance Division will manage the EAP program, concentrating on wellness programs as well as counseling and treatment.

EAP services are to be provided by a professional vendor. Treatment costs will be borne by the employee's health benefits. Services to be offered are:

1. Evaluation and Assessment. Diagnosis and evaluation of employees and immediate family members for a wide range of psychological and addictive type disorders. Employees and family members who are experiencing personal, family, or job-related problems including alcohol and/or drug dependency will be targeted.
2. Referral. Once evaluation is made, referral to the most appropriate service provider is recommended.

3. Counseling. Up to five counseling sessions for minor problems will be provided unless immediate referral to more major treatment is necessary.

4. Emergency Telephone Hotline. A 24-hour emergency hot-line will be provided seven days a week.

5. Training. Training will be provided to supervisors and managers to enhance their skills in dealing with the troubled employee, and to learn how to effectively use the EAP.

6. Consultation. To provide a means for management to obtain advice on the correct use of the EAP for specific problems.

7. Follow-up. To provide follow-up contact to employees to determine the employee's initial experience and suitability of treatment given.

Target date for implementing the program is November 1, 1988. The present design and general guidelines of the city-wide program are provided by an EAP committee made up of EAP representatives from several City departments which have been offering EAP services to their employees. Committee members represent the Police, Fire, Water, Streets, Revenue and Health Departments and the Managing Director's Office.

The strategy for program implementation includes two phases. Phase one will offer the services described above to the eligible group of 2,000 employees. The second phase will explore offering an EAP program for employees represented by employee organizations.



### III. PROGRAM GAPS IN PHILADELPHIA'S ANTI-DRUG AGENDA

This section addresses programmatic gaps in an effective anti-drug agenda relating to community/neighborhood needs as well as citywide concerns. Programmatic gaps in the areas of education, community based prevention/intervention, treatment and law enforcement are discussed. The cost of these program initiatives are also detailed. Special attention is given to a prevention and intervention strategy for at-risk youth beginning on P.51 of this report.

Plans to address these gaps must take into account three factors:

a. Maximum feasible implementation (i.e., what can actually be developed over a 12-month period considering availability of necessary facilities and start-up time -- including facility renovations and staff recruiting and training).

b. Maximum cost effectiveness (i.e., consideration of the cost of most desirable service approaches versus the cost of much less expensive but somewhat less effective service approaches).

c. Timing and affordability of financial resources coming from federal and state grant funded sources and the availability of scarce local dollars as matching funds.

#### A. EDUCATION: SCHOOL BASED PREVENTION/INTERVENTION SERVICE GAPS

There is clearly a need to provide prevention/intervention services in all of Philadelphia's public and parochial schools. Expanding such services from those schools where services are currently being provided into all schools is a formidable task, in terms of management, administration, recruitment, hiring and training of staff and funding.

For thousands of Philadelphia children, the school setting is where they spend the majority of their days between the months of September and June. The potential, therefore, for influencing values, attitudes and behaviors is enormous.

Philadelphia's anti-drug strategy is long term in nature. It seeks to reduce the demand for drugs now and in the future. By introducing prevention programming as early as kindergarten and continuing through grade 12, school aged children will be exposed to messages which are most appropriate for their specific age group.

#### 1. EXPANSION OF PREVENTION CURRICULUM FROM 21 TO 179 PUBLIC ELEMENTARY SCHOOLS

"Here's Looking at You 2000" is the state approved drug and alcohol curriculum that CODAAP and the Philadelphia school system have implemented in 21 elementary schools through a teacher-training model. This program would be expanded into 158 additional public elementary schools through the use of a teacher-training model, which allows for more effective and efficient use of resources.

Estimated cost - \$1,550,000.

## 2. EXPANSION OF PREVENTION CURRICULUM FROM ZERO TO 12 PUBLIC MIDDLE SCHOOLS

The implementation of the "Here's Looking at You 2000" curriculum in 12 middle schools would begin to provide a continuity of drug and alcohol education to students who are at a point in their lives when they are most vulnerable to begin experimenting with substances.

Estimated cost - \$160,000.

## 3. EXPANSION OF PAROCHIAL HIGH SCHOOL PREVENTION/INTERVENTION SERVICES FROM 9 TO 15 SCHOOLS

In order to provide consistent drug/alcohol abuse prevention/intervention in all Philadelphia parochial high schools, additional specialists would have to be hired to increase the total number of parochial high schools served from 9 to 15.

Estimated cost - \$113,000.

## 4. EXPANSION OF PREVENTION CURRICULUM FROM 36 TO 117 SCHOOLS

Continuing the efforts already established within the parochial school system, the state approved drug/alcohol curriculum "Here's Looking at You 2000" will need to be expanded into 81 additional elementary/junior parochial schools in Philadelphia (total 117).

Estimated cost - \$795,000.

Total School Based Prevention Service: \$2,618,000

## 5. NEED FOR AFTER SCHOOL CARE PROGRAMMING

The dearth of after school care for children of working parents puts many young people at serious risk, including the possibility of drug experimentation and use. Many children are unsupervised between 3 p.m. and the time when parents arrive

home from work.

Solid after school programming would provide not only supervision, but direction and support to children throughout the City. Such programming would reduce the opportunity and, likely, the inclination for children to begin using drugs. The Philadelphia School Age Child Care Coalition is an alliance of business, private non-profit and community organizations sponsored by the Parents Union. The Coalition is working to develop before and after school care for children in Philadelphia and is examining a number of models from other cities. These models use a variety of approaches including programs which are school based, and those which are collaborations between school and non-school organizations. Estimated cost per child per week: \$835. Funds are being sought from a variety of sources and a sliding scale fee will be initiated.

#### B. COMMUNITY BASED PREVENTION/INTERVENTION SERVICE GAPS

Philadelphia's many neighborhoods and the community groups which have been formed with a goal of improving the quality of life in those neighborhoods are critical to the implementation of the anti-drug strategy. Working with government, community based organizations can pursue the message of zero tolerance for drugs. Community institutions can and must further organize and work with young people to provide the foundation for values and attitudes which will minimize experimentation with drug or which will reverse a young person's slide toward a drug-abusing life style.

Many of Philadelphia's young people who are most at risk for drug abuse can only be reached through community based initiatives since they have dropped out of school or attend classes infrequently. Community based prevention programs not only hold out the possibility of reducing substance abuse among youth, they also offer the potential for encouraging and supporting young people to resume their education.

#### 1. NEED FOR EXPANSION OF CODAAP COMMUNITY-BASED PREVENTION/INTERVENTION CAPABILITY

Currently, CODAAP has only one employee assigned full-time to community-based prevention/intervention initiatives. The demands on this individual over the past year have been exceedingly arduous. Requests for workshops, training and presentations have poured in from both the public and private sectors and a broad range of neighborhood and religious organizations. Despite the record-keeping required, fully 80% of this employee's time has been devoted to direct service to the citizens of Philadelphia. An inordinate amount of this work takes place after regular working hours and on weekends.

As previously noted, during the past year, this employee has worked with more than 60 groups reaching over 5,000 individuals. Based upon this experience, it is clear that there is a great demand for community-based prevention services in the City of Philadelphia. A significant expansion in this capability is needed.

A key component of an expanded community-based prevention/intervention effort will be active community participation and involvement in decision-making regarding resource allocation. For example, community representatives have indicated the need for resource centers and support systems to be located in neighborhoods with the most critical need for services. CODAAP will strive to secure funding for these purposes and work with community based organizations in implementing and maintaining such centers and support systems.

The establishment of a CODAAP Education/Prevention and Information Unit would address, to a large extent, the current gaps in the CODAAP community-based prevention services.

Moreover, CODAAP receives upwards of 500 calls a month from the public seeking assistance for substance abuse problems. A hot-line worker is needed to respond to these callers.

Estimated Cost \$330,000

## 2. NEED FOR SETTLEMENT HOUSE BASED PREVENTION SERVICES FOR HIGH RISK YOUTH

There is a need to provide prevention services in three settlement houses located in high prevalence drug areas in the City - Lower North, Upper North, and South Philadelphia. A very high percentage of targeted youths would include those who do not receive prevention services in the schools, having dropped out. The target population would also include large numbers of economically disadvantaged, delinquent youth and children of substance abusers.

Approximately 6,000 high risk youth would receive prevention services through this program.

Estimated Cost \$210,000

## 3. NEED FOR PREVENTION/INTERVENTION EFFORTS IN PHILADELPHIA PUBLIC HOUSING PROJECTS

Prevention services presently being provided by CODAAP reach only four public housing projects. It is proposed that this effort be increased to include all 42 public housing projects, with specialized teams working in these projects, specifically on

problems arising from drug and alcohol abuse, such as access to treatment, prevention, education and enforcement. The housing projects would have virtually on-site capacity to effectively organize and address these issues.

It is envisioned that the teams providing these services would be indigenous to the community and would require extensive training in substance abuse prevention and intervention.

Estimated Cost \$410,000

Total - Community Based Prevention Services \$950,000

#### C. DRUG TREATMENT SERVICE GAPS

For the majority of those regularly using drugs in the city, breaking their habit on their own is difficult if not impossible. Without adequate treatment resources, drug users will continue to pose a threat to the quality of life in the neighborhoods as well as severely impacting on their families. In the neighborhood, these individuals also have the potential to influence others to begin to use drugs. Therefore, a comprehensive strategy which provides treatment for everyone seeking assistance as well as those who are stipulated into treatment as a result of their contact with the criminal justice system would support the efforts of government, community groups, and others to improve the quality of life and reduce fears for all citizens of the city.

##### 1. NEED FOR NEIGHBORHOOD TREATMENT TEAMS THROUGHOUT THE CITY

There is a clear need to develop a service capability that could relate to and respond to substance abuse service needs at the neighborhood level. There would also be a need to develop such services in a way and at locations most appropriate to the local community.

Neighborhood treatment teams would be established and assigned to communities on a geographic basis in consultation with community representatives. A team would be assigned to each of six (6) areas of the city (north, northwest, south, southwest, west, and northeast). If additional funds were to become available, the number of teams would be expanded, or alternately sub teams could be created and placed in additional sites recommended by the community. The teams would focus on neighborhoods with the highest need for intervention as demonstrated by locations of crack houses, frequency of arrests for drug sales, drug-related violence, etc.

Each team would consist of several intervention and treatment counselors and a community education, prevention and intervention specialist. Community members would be recruited



and trained to provide many of the services that these teams would offer. Services to be provided would include intervention counseling with youth and adults, group activities for youths, intensive outpatient services, group and individual counseling and community drug education. It is intended that the teams would be housed in vacated crack houses, converting a building with a negative, destructive effect on a community to a place which would have a positive community impact.

At the time a team is established in the community, the prevention/intervention specialist would meet with neighborhood leaders to devise the most appropriate mix and combination of services for that community, as well as raising the possibility of providing services on-site in various community locations (settlement houses, Philadelphia Housing Authority facilities, community centers, etc.). This neighborhood treatment team concept responds to several specific critical needs in the war on drugs:

- a. it addresses communities in turmoil;
- b. it provides visible evidence of the City's positive intervention efforts;
- c. it targets youths at risk;
- d. it enhances continuity of care for treatment services at the community level;
- e. it provides outreach and case-finding at the community level;
- f. it provides coordination with existing community agencies' activities (e.g., settlement houses, Philadelphia Housing Authority, Crisis Intervention Network, Recreation Department);
- g. it involves neighborhoods in developing effective projects of their own as well as in defining the most appropriate service configurations; and
- h. it introduces special programs aimed expressly at youth, e.g. "rap sessions" for young people to discuss their concerns.

Estimated Cost \$1,758,000

## 2. INADEQUATE OUTPATIENT FACILITIES AND NEED FOR EXPANSION OF OUTPATIENT SERVICES FOR ADOLESCENTS

Plans for the development of student assistance programs in the Philadelphia public and parochial school systems are already in progress. Identification of adolescents with substance abuse problems will present an increased demand for services that the existing treatment system will be unable to satisfy. In addition, increasing efforts directed to the community and increasing public awareness will also increase the number of adolescents applying for treatment.

In order to address these projected increases in treatment demand, it is proposed that currently existing but underutilized services for adolescents limited to referrals from the State Youth Development Centers and Youth Forestry Camps have their eligibility criteria broadened to allow these programs to provide services to all Philadelphia adolescents in need of treatment. Since the specifically earmarked funds for these programs were provided by the State Office of Drug and Alcohol Programs (ODAP), a request has been made to ODAP for authorization to modify the eligibility criteria. If this request is granted, an additional 175 outpatient treatment slots for adolescents could be made available.

NEW FUNDING NEEDED: \$0.

### 3. INSUFFICIENT BEDS FOR INPATIENT TREATMENT AND INPATIENT NON-HOSPITAL DETOX SERVICES

At any given time there are approximately 1,800 names on waiting lists maintained by the CODAAP funded residential treatment service providers. Based on a variety of factors however, such as length of stay, need for services other than inpatient non-hospital, and treatment cycles, it has been determined that the following number of additional treatment opportunities are needed to best address the waiting list issue:

- a. 210 additional inpatient non-hospital treatment slots;
- b. 28 additional inpatient non-hospital detox slots; and,
- c. 630 additional outpatient drug free slots. (These would be at least partially subsumed under the neighborhood treatment team proposal described above.)

The following specific residential services are planned:

- a. 4 residential programs for women with children - 80 slots for women plus 200 children; comprehensive care and activities will be provided for the children.
- b. 1 residential program for Hispanic clients - 30 slots; and,

c. 3 - 4 programs for men and single women - 100 slots.

ESTIMATED COST -

|                                       |                   |
|---------------------------------------|-------------------|
| Inpatient Non-Hospital Treatment      | \$2,000,000       |
| Inpatient Non-Hospital Detoxification | 500,000           |
|                                       | <hr/> \$2,500,000 |

4. LACK OF A COMPUTER-BASED CASE MANAGEMENT SYSTEM

Establishment of a case management/treatment supervision system is necessary to provide continued client follow-up and continuing evaluation of cost effectiveness data. A central registry of drug and alcohol clients in Philadelphia should be established, and Project NEXUS client tracking and placement should be expanded and refined. This system would introduce a reliable record system for substance abuse clients at point of entry into the treatment system. It would also allow NEXUS to alleviate the overburdened criminal justice system's difficulty in placing clients in community-based health care services. The system would assist in better management and utilization of the substance abuse treatment system.

Estimated Cost - \$200,000.

TOTAL TREATMENT SERVICES - \$4,458,000

D. CRIMINAL JUSTICE PROGRAM GAPS AND NEEDED INITIATIVES

1. OVERCROWDED PRISONS

It is useless to enhance the enforcement efforts through better sentencing and forfeiture laws (both of which were enacted at the State level recently) if breakdowns in the judiciary and corrections components of the criminal justice system occur. The prison overcrowding issue is one such problem, and an identifiable gap.

Presently, the prison moratorium on pre-trial defendants, and prison overcrowding in general, adversely affects the enforcement effort because drug offenders have been sent the message that an arrest will not significantly hamper their business trade. Thus, arrest is deemed an "incidental" cost of doing business rather than serving as the proper deterrent that it should be. When this state of affairs is combined with the "speedy trial" problems and the delays in prosecution that are created, one can see that the final goal of obtaining swift and successful prosecutions is severely hampered.

There is a need to examine various strategies which make available to the criminal justice system secure detention for drug traffickers who do not make bail awaiting trial, as well as treatment programs for those who do make bail. Efforts to examine how to make increased cell space and pretrial release programs available for these persons must be undertaken, including reexamination of the prison's current capacity. Initiatives that seek to speed the judicial process between arrest, conviction, and sentencing must also be addressed.

Recent efforts have been made by the Federal Courts to correct the short-term problem of pre-trial detention of drug violators by adopting guidelines under the new drug sentencing law. However, there is a need to obtain additional assistance for the courts and corrections system to meet current and future law enforcement efforts. Long-term solutions, such as more prisons, judges, pretrial release programs, and speeding the trial process between preliminary arraignment and sentencing are essential steps.

Furthermore, reducing the prison population through alternative incarceration efforts should be examined. Electronic detention currently is being used with a small number of prisoners. The cost of expanding and utilizing this program for certain classes of offenders needs to be analyzed. Expanded use of early release programs must also be examined. These options could serve as viable alternatives to creating more space and reducing inmate populations at various detention facilities.

Estimated Costs \$800,000

## 2. WITNESS PROTECTION PROGRAM

Presently, efforts are underway to establish a short-term answer to this critical problem. The Police Department, District Attorney's Office and the Sheriff are developing parameters to establish a witness protection program. However, legislation should be passed to insure that a program is established statewide. Cooperation with non-law enforcement and community agencies to identify individuals, especially juveniles, who warrant special coverage and protection should be a primary focus of such an effort.

Since there are no current state laws or programs, ad hoc arrangements are being made to protect individuals on a case by case basis through the coordinated efforts of the Police Department, the District Attorney's Office, and the Office of Housing and Community Development (OHCD). The protection of witnesses involves temporary or permanent relocation of the witnesses and their families within the City.

Steps such as these are needed for two reasons: One, the safety of the individuals involved; and two, successful

prosecution and subsequent sentencing of the offender will be dependent upon establishing secure housing for witnesses. The cost of this program is currently being borne at the local level, but state support is urgently needed as well. While the need for such a program is acute in Philadelphia, it can be assumed with some degree of certainty that other state law enforcement and prosecution agencies would welcome state legislation and funding in this area.

Estimated Cost \$860,000

### 3. GUN CONTROL

After the election, the House will be considering legislation (H.B. 1878) which liberalizes the requirements for the carrying of a concealed weapon on one's person or in a vehicle. This bill eliminates the "need" requirement formerly necessary to acquire a permit to carry. This legislation would dramatically increase the number of handguns present on the streets of Philadelphia and exacerbate an already volatile situation. Since weapons are often used in drug transactions, the legislation would obviously compound the City's drug problem. The Mayor's Office and the District Attorney's Office are leading the campaign against this bill. Absent defeat of the legislation statewide, efforts are underway to grant an exception for the City of Philadelphia, thus keeping the existing legislation in place locally.

Estimated Cost \$ 0

### 4. EDUCATIONAL ANTI-DRUG PROGRAMS: PROJECT DARE

The Philadelphia Police Department currently has 15 officers deployed on Project DARE. This project provides drug and alcohol information and conducts activities designed to resist peer pressure, develop coping and decision making skills and assertiveness. The officers rotate through schools, visiting a different school each day of the week, with a concentration on 5th, 6th, and 7th grades. The students in the DARE program make a formal commitment not to use drugs. The officers make periodic follow-up visits to the schools in an effort to reinforce the student's commitment.

Again, this expense is borne solely by the Police Department. While the Department recognizes and supports the need for anti-drug programs such as DARE and will continue its efforts in this area, the cost and use of 15 police officers dedicated to this cause is substantial (approximately \$420,000 in salaries). Efforts should be made to obtain funding for educational programs like DARE through State, Federal and other sources.

Estimated Cost \$255,000



##### 5. ENHANCED MOTIONS UNIT FOR DRUG ASSET FORFEITURE PROCEEDINGS

As drug dealing has become more lucrative and more sophisticated, there has developed a serious need for more complex litigation strategies beyond the traditional scope of forfeiture law. Pennsylvania's new Act 79 of 1988 (effective June 30, 1988) dramatically increases the possible forfeiture opportunities available to law enforcement. This expansion should come through the application of more complex procedural strategies in forfeiture actions. Funds obtained from these actions could then be used to train criminal prosecutors in the further use of civil law techniques against drug dealers. Intensive training in the field of civil litigation (especially pre-trial) is needed to enable assistant district attorneys to aggressively fight drug traffickers.

As drug asset forfeiture actions are considered quasi-civil, prosecutors must be able to obtain "discovery" information from defendants concerning their financial backgrounds. This would involve the hiring and training of an accountant and support staff to aid in this process. Training in the use of interrogatories and depositions would allow law enforcement to properly learn a defendant's assets and investments, surpassing the presently inefficient background investigations. A defendant's failure to provide this information could result in civil sanctions against him/her. It is essential that law enforcement personnel be funded and trained to properly implement the new state forfeiture laws. The Philadelphia District Attorney's Office and the Police Department will seek state and federal assistance to enhance the existing forfeiture operations.

Estimated Cost \$872,000

##### 6. STREET LEVEL ENFORCEMENT AND INTERDICTION

Narcotics traffickers are utilizing new and unconventional methods to distribute drugs throughout the City. Primary among these methods is the use of juveniles as low level pushers, and the use of state-of-the-art communications equipment. In addition, new Hispanic, Columbian and Jamacian gangs present new obstacles in infiltrating drug organizations. The audacity with which these groups conduct themselves has disrupted neighborhoods, and resulted in open warfare between rival groups. A federal grant-funded mobile Police "Strike Force" would permit the police to operate in several drug "hot spots." Currently base general fund resources are sufficient to operate the strike force in one designated "hot spot" at a time.

The Police Commissioner is now examining departmental reorganization, restructuring and redirecting of resources, thus targeting scarce dollars toward areas of greatest need.

Estimated Cost \$5,000,000

## 7. ADJUDICATION

It is essential that the criminal justice system process and manage the flow of drug cases through the system in an efficient, coordinated, and just manner. Delays in case processing jeopardize effective enforcement and proper defense. Unnecessary delays in prisoner transportation, assembling evidence and records for trial, adequately preparing prosecution and defense cases and scheduling hearing and trial dates work to the benefit of the drug dealer and against those who are victims of drug crimes and the innocent. Delays in case processing cause expensive overcrowding in the County Jail for both the City and the inmates and a breakdown in justice throughout the system. It is important that adequate resources for case scheduling and management, evidence and records preparation and management, prisoner transportation and case preparation be provided proportionately throughout the system in a coordinated manner.

Resources being called for primarily consist of technical improvements, such as enhanced computer capability, which will contribute to more timely adjudication of drug cases. With respect to human resource needs, first efforts must be placed on evaluating reorganization and restructuring of work of the existing agencies before added staffing consideration is given.

Estimated Cost \$1,118,000

Total Criminal Justice Services: \$8,905,000

#### IV. CITY OF PHILADELPHIA ANTI-DRUG STRATEGY FOR FISCAL YEAR 1989

Philadelphia's anti-drug strategy for fiscal year 1989 identifies initiatives which will support and build upon the energy and commitment which thousands of neighborhood residents have shown over the last several months.

This strategy can be broken down into several components:

- . School based prevention programs
- . Community based prevention and intervention programs
- . Existing treatment program
- . Criminal justice efforts
- . Model program for youth with some involvement in drug use and/or trafficking
- . Coordinated initiative aimed at the majority of youth not currently using drugs in need of positive social, recreational, cultural and educational outlets and opportunities.

The first five of these items are addressed in the body of this report and are summarized below. With respect to the need for a coordinated initiative for non-using youth, it is critical to make maximum use of scarce local resources. Hence emphasis will be placed on leadership development programs for youth who will be expected to in turn, play prominent roles in directing other youth away from the path of drug use and trafficking into more positive arenas.

The City will primarily address this latter need through the use of policies directed toward Class 500 grant recipients. In the current fiscal year through funds distributed to grant recipients, the City will seek to encourage a focus on reintroduction of moral values and leadership development activities, along with the organizations' customary activities. Ideally this will take place in conjunction with neighborhood clergy and other members of the religious community. In the next cycle of applications, programs that give priority to these areas will be targeted for special funding consideration.

In addition, the City is working with members of the clergy and religious leaders on the drug problem. A group of clergy and members of the religious community from a variety of faiths have pledged to work to promote the re-introduction of basic values into the lives of young people in the City in an effort to stem and ultimately reduce the use and trafficking of drugs. The clergy will work with existing community based organizations to devise strategies for incorporating value re-orientation efforts in their ongoing programs. This group has identified a range of possible anti-drug activities that it might engage in, in addition to developing a specific plan for value re-orientation. These activities include:

- \* Developing an action agenda for emphasizing the primary role of family stability in drug prevention for distribution and implementation by churches and synagogues citywide.
- \* Working in conjunction with the School District to encourage children and youth to remain in school until graduation.
- \* Serving as a conduit between residents and City agencies as required, e.g., individuals who are fearful of reporting drug activity to the City may choose instead to notify clergy who in turn could contact the appropriate authorities.
- \* Conducting prayer vigils and other public efforts to continue to focus attention on the critical nature of the drug problem.

#### EDUCATION. PREVENTION. INTERVENTION. TREATMENT

Funding for education, prevention, intervention and treatment services amounting to \$8,026,000 will be sought from a variety of sources. Primary among these will be the Pennsylvania Departments of Education and Health. These two departments not only receive state funding to address substance abuse, they also receive federal block grant funds and federal anti-drug funds which were made available as a result of the passage of major anti-drug legislation in 1986 and the recently passed 1988 Omnibus Anti-Drug Act.

During the fall of this year and throughout the winter of 1989, the CODAAP and the School District of Philadelphia will meet with state officials to pursue funding support which will enable the implementation of the plans which are contained earlier in this document.

This anti-drug strategy was created as a response to the escalation of cocaine abuse in Philadelphia and the corresponding violence associated with the use and sales of cocaine. Therefore, the focus is on cocaine's impact on the quality of life in Philadelphia's many neighborhoods.

It does not address nor was it intended to address other substance abuse related problems. Specifically, the anti-drug strategy is not a plan for dealing with substance abuse among the homeless either in shelters or living on the street. Also, it is not a plan for addressing the growing number of people who are diagnosed as having a substance abuse problem and a mental health problem. The programs identified herein will provide treatment for both of the above groups; however, the strategy does not specifically target these two groups. The Annual Plan prepared by the Coordinating Office for Drug and Alcohol Abuse Programs

(CODAAP) does consider services for the entire spectrum of substance abusers.

#### CRIMINAL JUSTICE

The focus of the criminal justice system within the City's overall anti-drug strategy is to address the destructive impact that illegal drug sales and use, and the lawlessness they promote, have on the community, family life, youth, and the overall quality of life in neighborhoods.

The Philadelphia criminal justice system, through the City's Criminal Justice Coordinating Commission, has developed a multi-year plan for the acquisition of \$71.7 million in needed state and federal assistance. The figure is based on the fact that Philadelphia's drug problem is a multi-county and statewide one, not confined to Philadelphia alone. For example, Philadelphia drug arrests account for nearly half of statewide Pennsylvania drug arrests, and about three-fourths of those made in Southeastern Pennsylvania.

In addition, a significant portion of the persons and property seized in the Philadelphia Police Department's "Operation Fishnet" are from outside the City of Philadelphia. Philadelphia has become a significant supply point for drug trafficking in the metropolitan area.

The overall \$71.7 million criminal justice state and federal assistance plan is broken down into the below funding streams:

|                                         |                        |
|-----------------------------------------|------------------------|
| 1. FY 1989 State & Federal Grants       | \$ 8.9 Million         |
| 2. Multi-Year State & Federal Grants    | 11.6 Million           |
| 3. Legislation                          | 39.1 Million           |
| 4. Direct State & Federal Contributions | 12.1 Million           |
| <b>TOTAL</b>                            | <b>\$ 71.7 Million</b> |

Each funding stream represents an approximate target to be achieved for that funding stream. Funding not achieved within one funding stream can and will be sought through the others. Some adjustments between funding streams will be made over the multi-year life of the criminal justice assistance plan.

The funding stream for the \$8.9 million in state and federal grants aims specifically at addressing in the immediate short term (6-8 months) the destructive impact that escalating illegal drug sales and usage, and the accompanying violence they promote, have had on the quality of life in our neighborhoods. It is expected that the \$62.8 million assistance request for the state legislation and direct contribution funding streams will occur over the multi-year period.



The immediate short term assistance request of \$8.9 million will be made to the state and will seek federal anti-drug funds through the Pennsylvania Commission on Crime and Delinquency. The remainder will be sought through other state and federal funding sources.

The City's Criminal Justice Coordinating Commission's \$71.7 million Criminal Justice Anti-Drug Plan for State and Federal Assistance delineates specific program areas and projects. The Plan is available through the Commission.

The \$8.9 million state and federal grant portion of that Plan is outlined in this document and is directly related to the Gap section of this document. Specific project proposals for the \$8.9 million, as well as the entire Commission Plan, will be submitted to the State.

#### **ANTI-DRUG STRATEGY FOR AT RISK YOUTH**

As outlined in Section VI of this report, the City is proposing a strategy targeted at youth who have had some involvement in drug use or trafficking, but have not fully crossed the threshold into the drug culture. Following recruitment, participating youth will take part in 3 phases of the program:

- . A community based orientation phase where value reorientation, leadership development and refusal skills, among others, will be emphasized
- . An intensive two-day structured stay at Fellowship Farm building on the components of the first phase of the program
- . An ongoing follow-up phase where youth will continue to participate in formal programs, including, where appropriate, job training and/or preparation. In addition, participants will perform community services in conjunction with their community based organization.

Funding for this program will be sought from area foundations and will be augmented by in kind support from the business community.

#### V. KEY LEGISLATIVE REQUIREMENTS

Part A of this section deals with the Federal Omnibus Anti-Drug Bill of 1986, which has significant programmatic ramifications in several areas. Among them are law enforcement, the criminal justice system, substance abuse education, prevention, intervention and treatment, and community mobilization. Despite the impact of the Bill, however, certain amendments are necessary which will enhance urban efforts specifically in the attack on the substance abuse crisis.

Part A includes the combined comments of the Police Commissioner and the two team leaders for Criminal Justice and Human Services of the Legislative and Financial Operations Group.

Part B deals with yet-to-be-written legislation in the law enforcement area and addresses the need for a Victim/Witness Protection Bill and an In REM Forfeiture law.

Part C consists of legislative and regulatory initiatives which are needed to fill existing gaps in the treatment services area. Several of the issues in this section appear in the matrices, but are expanded upon herein.

Legislative matrices are provided in the appendix so that interested groups may follow the progress of legislation on the drug issue in Harrisburg and Washington. These will also serve as an information base to assist lobbying efforts. The Mayor's Office of Policy and Legislative Affairs can be contacted on various lobbying strategies that are in progress.

#### A. FEDERAL OMNIBUS ANTI-DRUG BILL

The criminal justice system has initiatives in place funded by the Bill and seeks to continue its anti-drug criminal justice efforts and institute new programming. The Omnibus bill passed by Congress in October 1988 preserves the existing distribution formula which hampers the timely distribution of funds to highly impacted cities such as Philadelphia.

Specific criminal justice concerns regarding important improvements to the legislation consist of the following eleven points, which will be pursued as part of an overall national coordinated strategy in conjunction with the U.S. Conference of Mayors.

1. Major local governmental jurisdictions of 500,000 population or more should receive an entitlement of federal anti-drug enforcement funds from the state block equal to the proportion of the local entitlement jurisdiction's total criminal justice expenditures and drug arrests for the immediate past calendar year, to the sum total of the criminal justice expenditures and drug arrests for all other local governmental jurisdictions in the state for the same period.

2. An entitlement should not be seen as a limitation on the total federal anti-drug enforcement funds a local jurisdiction may receive from the state or from direct federal discretionary funding. A local jurisdiction should have the option of waiving the entitlement and instead chose to participate in the state planning and funding process.

3. Each state should develop the criminal justice expenditure and drug arrest figures for the entitlement formula and present it to the local entitlement jurisdictions for review and approval.

4. An "urban bonus" equal to 5% of the entitlement should be provided for each of the following: a) single or combined local jurisdictions of 1,000,000 population or more, b) local jurisdictions that have an existing criminal justice coordinating mechanism as part of official local government, c) local jurisdictions that are a combined city-county combination and d) local jurisdictions that target as a priority those who sell to youth, or involve youth in drug trafficking. The maximum bonus percentage any entitlement jurisdiction can receive is 20% of the state block, and the bonus should be in addition to the entitlement received.

5. A local entitlement jurisdiction should receive an amount for administration equal to 3% of the entitlement received. This 3% administrative share should come from the state's overall administrative share, and not from the entitlement itself.

6. A coordinated funding strategy should be required that addresses the impact of increased arrests and prosecutions on the adjudication and correctional processes of the criminal justice system. An entitlement jurisdiction's application should indicate how these will be addressed and funded. Entitlement funds need not fund all three areas -- enforcement, adjudication, and correctional, but should address how the needs from each area are being met.

7. All federal anti-drug enforcement funding should be 100% federal funding with no state or local match required. A minimal amount of 10% in-kind match is acceptable, if a match must be required. A 50% in-kind match is also acceptable.

8. Legislation should provide an authorization level for state and local law enforcement grants of \$500 million. (The proposed \$270 million level for the first year would give the City only slightly more than received from the 1986 Act with its \$230 million national level).

9. Legislation should provide for the use of federal facilities and land (military and non-military) by county jails to house those arrested for drug sale violations and awaiting trial. Local governmental staffing costs for these facilities should be eligible for a direct federal discretionary grant; they should not be taken from the state's entitlement to that local jurisdiction, or the state block.

10. A county which qualifies to receive an entitlement for itself and its major city should be required to submit a coordinated entitlement strategy addressing how that county and its major city will coordinate their entitlement funding.

11. Direct federal discretionary assistance should be required for those local jurisdictions of 500,000 population or more that are regional "hubs," and fulfill one or more of the following criteria: a) a metropolitan area in a multi-state region, b) an international airport serving a multi-state region, c) a deep water port serving a multi-state region and d) a major transportation point for interstate highways, rail and bus operations serving a multi-state area. Direct federal discretionary assistance can be either grants to the metropolitan area or federal services such as DEA and Customs Agents, federal prosecutors, etc., or both.

Additional concerns with the Bill are specified in the Criminal Justice Team's federal legislation matrix.

The Human Services Team's concerns with the Bill address the need for an "urban entitlement" which would enhance the amount and timeliness of funds for City drug programming.

1. An entitlement could permit major U.S. cities to receive funds more quickly. The President signed the Omnibus Drug Bill in October 1986. The State of Pennsylvania's Department of Health did not release treatment funding to counties until January 1988. Since the funds were contained in the Pennsylvania FY'88 budget, funding could have come as early as July 1987.

2. Bonuses should be provided to urban areas over a certain size and to urban areas with a central planning and coordinating capacity. CODAAP is recognized by the State Health Department as the treatment/prevention planning, funding and monitoring entity for Philadelphia.

3. Formulas should be based on some needs based indicators. Philadelphia accounts for 30% of admissions reported to the state data system. Also, arrests should figure into the treatment formula since many of those arrested are serious drug users who require treatment. In addition to drug arrests, the formula should include indices of income producing crimes such as robbery and burglary since research has demonstrated that these crimes are often committed by substance abusers seeking funds to support drug use.

4. Significant sections of the Bill identify funds for specific areas e.g. national sports program, runaway and homeless youth and education and prevention relating to youth gangs. These funds, for the most part, are not included in an allocation to a state. They are reserved for grants and contracts funded in response to requests for proposals. Cities which demonstrate the existence of an anti-drug coordinating mechanism should be permitted to receive these funds as part of a formula in accordance with an overall urban plan.

5. Several problems exist with the current funding as administered by the State of Pennsylvania. These problems are:

a. Timeliness of funding

- b. Amount to Philadelphia
- c. Failure of state's categorical initiatives to address Philadelphia's needs
- d. Extraordinary accountability requirements

6. If an urban entitlement can be identified, as many of the categorical initiatives as possible should be included in order to give cities maximum discretion over use of the funds.

## B. CRIMINAL JUSTICE STATE LEGISLATION INITIATIVES

### 1. PRISON OVERCROWDING

The most direct way of dealing with the prison overcrowding situation is to increase prison capacity. Two amendments to the state's Capital Budget Bill would make inroads in this area. The first of these would provide \$50 million to build a state prison facility with roughly 500 beds for the purpose of housing convicted drug offenders from the South Eastern Pennsylvania region, and another \$50 million for a facility for pre-trial detentioners, again for roughly 500 beds, all of whom would come from Philadelphia. These prisons would be built within the City, at presently undetermined sites.

Republican legislators in both houses have announced their intention of introducing a package of legislation which would put a \$250 million bond issue before the voters to construct 4,000 new modular cells, 2,000 new permanent cells and hire 50 new state parole officers. Some of the money would be utilized for interest-free loans to counties for new jail construction or improvement of existing facilities. The legislation will also include an intensive probation program, based on a Georgia model, calling for 132 hours of community service, mandatory curfew, gainful employment and unannounced alcohol and drug tests.

Senate Bill 1541 has been introduced and establishes a five judge special drug court within the Court of Common Pleas, for the purpose of hearing drug possession and distribution cases within the First Judicial District. This bill has been assigned to the Senate Judiciary Committee, and has attracted bipartisan support.

Senate Bill 1540, requiring an arresting officer to transmit a defendant wanted on an arrest warrant for failure to appear at court to the nearest state correctional institution for purposes of posting bail, would also impact on the prison overcrowding situation. Under the court-ordered prison population cap, defendants with only one failure to appear are being released without having to post bail.

### 2. VICTIM/WITNESS PROTECTION PROGRAM

A Victim/Witness Protection Program for juveniles and adults has been identified as a major need. It is recommended that a group be formed from



the Police, District Attorney, Courts, Sheriff, Bar Association, Department of Human Services, Philadelphia Housing Authority, FBI, and the U.S. Justice Department to analyze the problem and existing federal and state statutes (of other states) to devise its own program which addresses both juveniles and adults.

A short-term program would then be instituted to formalize a procedure to evaluate an individual's needs, safety concerns and status (informer, witness, potential witness, victim); develop short-term and long-term secure residency alternatives; develop a working inter-agency network to coordinate action and reimburse individual agencies for manpower costs and overtime costs from state forfeiture money.

At the end of this process state legislation would then be drafted to formalize the Protection program.

### 3. GUN CONTROL

After the election, the House will be considering legislation (HB 1878) which liberalizes the requirements for the carrying of a concealed weapon on one's person or in a vehicle. This bill eliminates the "need" requirement formerly necessary to acquire a permit to carry. This legislation would dramatically increase the number of handguns present on the streets of Philadelphia and exacerbate an already volatile situation. Since weapons are often used in drug transactions, the legislation would obviously compound the City's drug problem. The Mayor's Office and the District Attorney's Office are leading the campaign against this bill. Absent defeat of the legislation, statewide efforts are underway to grant an exception for the City of Philadelphia, thus keeping the existing legislation in place locally.

Estimated Cost \$ 0

### 4. MAINTAIN BALANCED CRIMINAL JUSTICE SYSTEM

Increasing the funding of the Police and District Attorney to make drug arrests and prosecutions without also increasing the funding for courts, prisons, and associated agencies to handle the resulting cases will only create backlogs and disorder in the rest of the criminal justice system. It is therefore urged that any state appropriations which would increase arrests also include a formula assuring funds to help the downstream agencies bear the burden. Given the existing prison population cap, failure to do so will only squander police and prosecution resources and give the appearance to lawbreakers and public alike that the revolving doors of justice are just being turned a little faster.

### 5. EDUCATIONAL ANTI-DRUG PROGRAMS: PROJECT DARE

#### Project DARE (Drug Abuse Resistance Education)

The Philadelphia Police Department currently has 15 officers deployed on Project DARE. This project provides drug and alcohol information and conducts activities designed to resist peer pressure, develop coping and decision making skills and assertiveness. The officers rotate through

schools, visiting a different school each day of the week, with a concentration on 5th, 6th, and 7th grades. The students in the DARE program make a formal commitment not to use drugs, and the officers make periodic follow-up visits to the schools in an effort to reinforce the student's commitment.

Again, this expense is borne solely by the Police Department. While the Department recognizes and supports the need for anti-drug programs such as DARE and will continue its efforts in this area, the cost and use of 15 police officers dedicated to this cause is substantial (approximately \$280,000 in salaries). Efforts should be made to obtain funding for educational programs like DARE through the Federal Omnibus legislation or state funding for education.

#### 6. IN REM FORFEITURE STATUTE

Although substantial efforts have been made in the forfeiture area recently, some gaps do exist that could be narrowed by legislation.

##### a. Need for General In REM Forfeiture Statute

Currently, the state drug forfeiture law, 42 PA. C.S.A. 6801 provides for forfeiture of various types of property and proceeds for violations of this law. A general in REM forfeiture statute would expand this concept to include the forfeiture of property used to facilitate, or derive from, the commission of any indictable offense. Although Criminal Rule of Procedure 324 does address this situation, it is a court rule and does not have the full mandate of enacted legislation. A general in REM forfeiture statute would improve law enforcement efforts in seizing property and proceeds without having to prove a drug connection or RICO type conspiracy.

##### b. Need for Immediate Use of Conveyances Provisions

Any property seized under the drug laws generally is stored at police facilities. The recent amendments to the state forfeiture law have given the police the ability to seize more vehicles. To reduce storage space requirements and safekeeping responsibilities while the pending criminal trial and forfeiture hearings are conducted, the Police Department should be given access to use of the vehicles or the owner must be required to post a bond to reclaim the vehicle. If used by the Department of the District Attorney's Office, the Department would guarantee payment for the vehicle or of any damages sustained to the vehicle. If returned to the owner, and later ordered forfeited, the Department or District Attorney's Office would merely act on the bond. Again, this would reduce departmental costs for storage and safekeeping on one hand, while creating an ability for law enforcement to use vehicles that are suitable for surveillance, investigatory and other official related duties. This could create an additional savings in the area of budgetary expenditures for undercover vehicles.

#### C. EDUCATION/PREVENTION/TREATMENT

This section highlights critical human services oriented issues.

#### 1. MEDICAL ASSISTANCE PAYMENT FOR INPATIENT NON-HOSPITAL DETOXIFICATION AND TREATMENT

The passage of S.B. 415 and H.B. 585 would provide Medical Assistance funding support for inpatient non-hospital detoxification and treatment services. Passage and implementation of this legislation is critical to providing the funding support necessary to pursue expansion of the treatment system. The House version has passed and is now in the Senate. The Senate version has passed and is in the House.

Following passage, follow-up on the development of regulations and rules for implementation will be crucial, since these will directly impact on funding limits, length of treatment and frequency of usage.

#### 2. OTHER MEDICAL ASSISTANCE FUNDING ISSUES

a. Partial Hospitalization - At the present time, Medical Assistance regulations do not provide payment for partial hospitalization services for substance abuse clients, although mental health partial hospitalization services are covered. The regulations need to be amended to provide such payments for substance abuse partial hospitalization services.

b. Outpatient Services - At the present time only six outpatient contacts per month are paid for by Medical Assistance. Given the needs and nature of cocaine addicted clients currently entering the treatment system, significantly more intensive services are needed for each client. The Medical Assistance coverage for outpatient substance abusing clients needs to be expanded to cover as many as 20 hours per month.

#### 3. RESIDENTIAL SERVICES FOR PREGNANT WOMEN AND WOMEN WITH CHILDREN

S.B. 905 would provide \$1 million statewide to fund residential substance abuse services for destitute pregnant women and women with dependent children. This much needed service need not be funded by the legislative route. Categorical funding could be allocated by the State Department of Health.

No action is expected, but the Governor's office is committed to addressing this issue. CODAAP has been notified that it will receive some portion of one million dollars which the Governor is committing to this initiative using federal funds.

#### 4. DEFINITION OF CHILD ABUSE AND NEGLECT

There is a tremendous amount of concern at the present time about infants born to substance abusing mothers. Beyond this, all children in households where a parent is a substance abuser are at extreme risk. This

is now especially the case with cocaine when the route of administration is by smoking (crack) because of the extremely rapid course of the addiction.

Senate Bill 1525 would amend the current definition of child abuse to include mothers of newborns with fetal alcohol syndrome, neonatal abstinence syndrome, or the presence of a Schedule I or II substance. Passage of this legislation should be strongly supported.

Beyond S.B. 1525 as currently written, the definitions of child abuse and neglect should be extended to include just the PRESENCE OF PARENTAL SUBSTANCE ABUSE because of the extremely high risk to all children in the household.

#### 5. BEVERAGE ALCOHOL TAX

Additional needed revenues could be realized by the passage of House Bill 969. This legislation would amend the liquor code by allocating approximately 2% of the net revenue of the Liquor Control Board for studying the problem of alcoholism, treatment of alcohol abusers and alcohol prevention and education programs.

#### 6. ODAP CATEGORICAL FUNDING PRACTICES

The State Office of Drug and Alcohol Programs (ODAP) has a propensity for allocating funds for new services to specifically defined categories of activities, often without regard for local needs and priorities. New services established with such categorical funds may be underutilized, while other local high priority needs remain underfunded. This has been the case with the Adolescent Intensive Supervision program (mentioned in Section III, above) for youths returning from Youth Development Centers (YDCs) and Youth Forestry Camps (YFCs). This ODAP operating practice should be changed.

#### 7. INFRASTRUCTURE NEEDS

There needs to be a significant infusion of funds to allow Philadelphia treatment programs to provide repairs to long neglected facilities. Currently, because of funding restrictions, it is almost impossible to provide funds for this purpose.

## VI. ANTI-DRUG STRATEGY FOR AT-RISK YOUTH

### A. Introduction

The impact of drugs and drug trafficking on the youth of the City has been staggering. Statistics indicate that the use of cocaine and its derivative, crack, have increased dramatically among school-age youth in Philadelphia and throughout the nation. Drug trafficking by youth who are used as couriers, lookouts, and actual sellers has also increased as shown by the 125-150% rise in the number of young people arrested for drug-related offenses in some police districts.

The Associated Press reports that in a national survey of youth housed in correctional facilities in 1987, almost half claim to have been under the influence of drugs when they committed the offense which led to their placement. Nearly 60% of these youths also stated that they used drugs regularly, i.e., once a week or more for at least a month.

Virtually all effective models proposed for treating youth or adults involved in drug abuse emphasize the need for early intervention. As young people increase their use of drugs or become further enmeshed in drug trafficking, the task of providing them with constructive alternatives becomes increasingly more difficult. The City of Philadelphia, then, intends to focus a major effort on early intervention in an attempt to reduce the overall level of drug activity among young people in the community.

Since intervention is the key to a successful model, this plan emphasizes early identification of at-risk youth. Community-based and school-based programs will provide early identification of program candidates as well as a mechanism for sustaining progress. This initiative will be designed, implemented and sustained through strong community-based support, specifically by the use of a network of community-based organizations (CBO's). These will recruit the youth, orient them to the goals of and implement the program, provide positive adult role models who will participate in program activities and provide additional support as needed. In addition to CBO's, other resources of the community, which may already exist but need to be identified and coordinated to reach at-risk youth, will be utilized as well. Traditional groups such as Boys and Girls Clubs, PAL, Explorers, Junior Achievement, as well as recreation centers will also be asked to incorporate components of this initiative into their activities.



## B. Program Goal

The goal of this initiative is to create an anti-drug program for approximately 3000 youth who have had some contact with the criminal justice system or been identified as having already begun to use or traffic in drugs on an occasional basis. Objectives toward achieving this goal are:

- \*Situating an overall coordinating entity for this effort in an appropriate organization.
- \*Establish a comprehensive uniform program consisting of the components outlined below.
- \*Identify ten community based organizations to serve as sites for this anti-drug initiative.
- \*Recruit special program coordinators from each site.
- \*Secure the necessary resources from the federal and state governments and the private sector to support CBO's in this initiative.
- \*Work with traditional existing organizations to include program components in their efforts.

## C. Program Components

Each of the participating CBO's will carry out an overall anti-drug program which will include the following components:

1. Self-Pride - Instilling within the youth participants a sense of self-pride that will enable them to resist negative, drug related peer pressure. Essential elements will include: self-knowledge; development of self confidence; values clarification; interest development and abilities/capabilities enhancement.
2. Leadership Skills Training - Stressing to the youth their potential as positive leaders and role models in their communities by workshops which: define characteristics of a leader; teach leadership skills; exemplify positive role models and provide opportunities for public speaking.
3. Career Explorations - Examining the relationship between education and career by introducing youth to various career clusters; referral to age appropriate educational assessment; providing youth with opportunities for "job shadowing" experiences; presenting positive role models from the world of work

in cooperation with the business community's "adopt a center" proposal to be discussed below; working with the School District and Philadelphia Futures to channel youth into appropriate education; job preparation and job-training opportunities.

4. Social Contract - Creating a social contract which, as equals, commits youth participants, community-based organization and a relevant city agency (i.e., Health, Human Services, Recreation) to work cooperatively to ensure that:

a) Youth will remain drug free by safely but assertively using refusal skills to resist their own or other family members' and friends' drug involvement; asking for peer or adult support when needed; participating actively in retreat and community-based drug resistance; intervention and alternate programming; and being loyal to the members and principles of the Drug Resisters Corps (discussed below). Youth will also agree to provide assistance to their CBO in service delivery to the community in areas such as neighborhood clean-up, assistance to the elderly and youth mentoring.

b) City-Related Agencies such as MOCS will help secure financial assistance to community-based recreational and educational programs related to the support of drug resisters and will organize and give public recognition to individual participants in the City-sponsored Drug Resisters Corps. Examples could include working with CBO's in grant proposals and responses to RFP's, technical assistance, etc.

c) Community-Based Organizations will give priority in their programming, staff assignments and volunteer recruitment to programs that provide direct service and support to anti-drug program participants and those in the Drug Resisters Corps.

d) Family members will be strongly encouraged to participate in family therapy sessions and group therapy sessions with other families with addicted youths when appropriate. These sessions will be led by professionals in existing programs and families will be referred by the CBO and Family Court. The emphasis in these sessions will be on creating a completely drug-free environment in the homes of program participants as well as creating an internal support network for youth actively involved in resistance efforts. In short,

families will become "enablers" as well as "enabled."

5. Peer Pressure Resistance and Refusal Techniques - Teaching and training of youth participants, through personal experience, role playing and attitude reinforcement techniques, peer pressure resistance techniques and refusal skills that can strengthen confidence and develop participants' abilities to become positive "resisters."

6. Back Home Behavior Techniques - Giving youth participants clear, concise, applicable and memorizable steps, phrases and behavior techniques to resist drug related peer pressure coming from friends, older adults, relatives and strangers.

7. Support Network - Building a spirit of community and a network of student allies and leaders who can share with and rely on one another for support when confronted with negative peer pressure to become involved with drugs.

8. Dialogue - Learning from and incorporating into future youth training sessions the techniques and lessons that participants indicate as having been helpful in supporting their own resistance behavior.

#### D. Program Outline

Over the span of 12 months and through a core group of 10 community based organizations, a total of 3000 at-risk youth will be identified and recruited to participate in the program.

A staff of program coordinators will be selected from participating CBO's and trained to implement the program using the CBO's as a base of operations, with a primary responsibility of identifying local, neighborhood based resources to maximize the impact of their efforts.

The program will consist of four phases which are outlined below, with each building upon the preceding phase and reinforcing the eight primary components of the Anti-Drug Strategy for At-Risk Youth to each participant.

Upon completion of the four phase program, participants will join a Drug Resisters Corps to serve as role models, and to assist recruitment of additional at-risk youth into continuing program cycles.

#### E. Plan of Action

Ten community based organizations in high-impact drug areas will be recruited by the coordinating agency to serve as the core group of agencies to implement this program. Each CBO will agree to recruit 300 youth for the program over one year for a total of 3,000 youth. Youth may also be recruited to the program through School District and Family Court referrals, police remedials and self referrals. The active agency lists of CODAAP's network of CBO's, the Mayor's Anti-Drug Leadership Council, the Mayor's Commission on Neighborhoods and recommendations from agencies such as CIN and CIP will be used in this effort. The City will work to secure funding for program coordinators and support in each of the ten selected CBO's.

Program coordinators will work out of the offices of the CBO's and orient youth to the program and design and implement specific program content.

CBO's will make use of existing resources in carrying out the program. For example, the program coordinator will tap into formalized City services such as the Department of Recreation, the Health Department, the Department of Human Services and the Private Industry Council in designing the specific structure of the program.

#### **F. Phases of the Program**

##### **Initial Recruitment**

At-risk youth will be recruited by the community based organizations, using the program coordinator as a focus for recruitment (see above). A public awareness campaign will be launched so that the program will be made known to all segments of the community.

##### **Orientation of Youth**

After the youth have been recruited, each will be oriented to the program goals by the program coordinator and the staff of the CBO. The orientation will consist of group discussion, tours, guest speakers, role-playing, etc., designed to reinforce positive goals and achievement among the youth. Again, the program will utilize the natural resources of the community in conducting the orientation. The orientation phase will emphasize drug-free, "zero tolerance" behavior. This phase of the program will last for approximately one month, with youth participating an average of 3-6 hours per week.

##### **Fellowship Farm Phase**

Upon successful completion of the orientation phase and tangible evidence of adoption of the program goals, participants will then be afforded the opportunity of participating in the rural intensive two-day program of Fellowship Farm. This phase will build upon the work of the orientation, re-emphasizing the program components and molding supportive relationships with the youth and their CBO sponsors.

Fellowship Farm will utilize and integrate various national and local peer pressure resistance program materials and curricula for application to this intensive model and its community based follow-up component.

Included will be materials such as the "Refusal Skills" outline through the "Here's Looking At You 2000" project of the School District of Philadelphia, and the "DARE" (Drug Abuse Resistance Education) effort of the Philadelphia Police Department and Philadelphia's public and parochial schools. Combining group dynamics and participatory activities which encourage trust, openness, communication, problem solving skills and youth empowerment, the program will support thinking, feeling and behavior changes that can make a difference in the lives of others in their own community.

The program is particularly committed to generating maximum input from the youth participants based on their own experiences, so that future programs will reflect their needs and concerns.

#### Follow-Up Support

After the Fellowship Farm intensive two-day experience has been completed, and the youths have returned home to their neighborhood, the CBO staff will continue to provide follow-up support. Again, the emphasis will be on reinforcing the overall components of the program utilizing, where possible, resources which are already in place. These youth will then join the ranks of the Drug Resisters Corps and will continue to receive from community-based and City services, as well as through peer relationships, ongoing support to enable continuation of drug resisting behavior and to support individual leadership development. Additionally, members of the Corps will recruit other youth into the program and serve as positive models for their at-risk peers. Community based and City support services to the Drug Resisters Corps would include:

- \* Family counseling and support services



- \* Job preparation, counseling, training and placement in coordination with Philadelphia Futures, Private Industry Council and the Chamber of Commerce
- \* Recreation programming
- \* Referral to job opportunities, e.g., Phila-Pride, Philadelphia Anti-Graffiti Network
- \* Special recognition ceremonies
- \* Reunion meetings
- \* Clergy and church based support.

#### Business Community Support

Integral to this effort will be the active involvement of the business community. Working with the Chamber of Commerce, businesses that pledge to "adopt a CBO" will be recruited and paired with neighborhood centers and provide in-kind and/or financial assistance to anti-drug activities. This support might include technical assistance, guest speakers, printing of fliers and other material, mentoring and jobs for members of the Drug Resisters Corps.

## VII. FUNDING REQUIREMENTS FOR ANTI-DRUG STRATEGY

## A. SCHOOL BASED PREVENTION/INTERVENTION SERVICES

|                                        |                     |
|----------------------------------------|---------------------|
| Public Elementary Schools              | \$ 1,550,000        |
| Public Middle Schools                  | 160,000             |
| Parochial High School                  | 113,000             |
| Parochial Elementary Schools           | 795,000             |
| TOTAL SCHOOL BASED PREVENTION SERVICES | <u>\$ 2,618,000</u> |

## B. COMMUNITY BASED PREVENTION/INTERVENTION SERVICES

|                                                              |                   |
|--------------------------------------------------------------|-------------------|
| CODAAP Education/Prevention & Information Unit               | \$330,000         |
| Settlement House-Based Prevention Services                   | 210,000           |
| Prevention/Intervention Services for Public Housing Projects | 410,000           |
| TOTAL COMMUNITY BASED PREVENTION SERVICES                    | <u>\$ 950,000</u> |

## C. TREATMENT SERVICES

|                                     |                     |
|-------------------------------------|---------------------|
| Neighborhood Treatment Teams        | \$ 1,758,000        |
| Outpatient Services for Adolescents | 0                   |
| Inpatient Non-Hospital Services     | 2,500,000           |
| Computer-Based Case Management      | 200,000             |
| TOTAL TREATMENT SERVICES            | <u>\$ 4,458,000</u> |
| TOTAL ALL SERVICES                  | <u>\$ 8,026,000</u> |

## D. CRIMINAL JUSTICE SYSTEM STATE AND FEDERAL GRANTS ASSISTANCE NEEDS

POLICE: Narcotics Strike Force for neighborhood drug sites; undercover operations for "crack" and "gate" houses; school anti-drug education Project D.A.R.E; support for evidence processing in the Crime Lab., detention unit processing, and a model computer project for the Narcotics Unit; highway drug interdiction and canine training; forfeiture and asset seizure and victim-witness protection.

\$3,600,000

District Attorney: Witness security; comprehensive drug prosecution; forfeiture and asset seizure.

\$2,100,000

Common Pleas Court Administration: Expedited drug case management and scheduling.

\$80,000

Municipal Court Administration: Expedited drug case management and scheduling.

\$80,000

Pretrial Services Agency: Special bench warrant narcotics team for drug defendants failing to appear for court and preliminary arraignment drug defendant processing.

\$370,000

Probation: Neighborhood liaison Tenant Council

\$600,000

Sheriff: Expedited handling of drug defendants; school anti-drug education; and victim-witness protection.

\$775,000

Clerk of Quarter Sessions: Drug case management and adjudication support.

\$450,000

Philadelphia Prisons: Supervised placement of paroled drug offenders; defendant release programs; and inmate drug counseling and treatment services.

\$800,000

Criminal Justice Coordinating Commission: Project Training, monitoring, and assessment.

\$50,000

TOTAL CRIMINAL JUSTICE

\$8,905,000

**E. ANTI-DRUG STRATEGY FOR AT RISK YOUTH**

Community Base Phase: Support for ten participating community based organizations.

\$ 300,000

Fellowship Farm Phase: Overnight programming for 3000 youth in 60 sessions over one year.

\$ 210,000

Coordinating and Monitoring Organization

\$ 120,000

TOTAL AT RISK YOUTH STRATEGY

\$ 630,000

GRAND TOTAL FUNDING  
REQUIREMENTS FOR ANTI-DRUG  
STRATEGY

\$17,561,000

CITY OF PHILADELPHIA  
ANTI-DRUG STRATEGY

APPENDICES TO

"PHILADELPHIA DRUG CRISIS: A STRATEGY FOR  
COMMUNITY PRESERVATION".



## INTRODUCTION

This document is intended as a supplement to "Philadelphia Drug Crisis: A Strategy for Community Preservation." It contains information on current criminal justice and education, intervention, prevention, and treatment efforts. It also contains a series of matrices on existing anti-drug legislation and pending and proposed legislation that would strengthen the City's anti-drug efforts.

APPENDIX

SUPPLEMENTAL  
CRIMINAL JUSTICE AND HUMAN SERVICES DATA

PREPARED BY  
THE LEGISLATIVE AND FINANCE OPERATIONS GROUP  
- CRIMINAL JUSTICE TEAM  
- HUMAN SERVICES TEAM

CRIMINAL JUSTICE DATA

PREPARED BY THE  
CRIMINAL JUSTICE COORDINATING COMMISSION

CITY OF PHILADELPHIA - POLICE DEPARTMENT  
NARCOTICS ARRESTS

|                 |   |       |
|-----------------|---|-------|
| 1980            | - | 4,720 |
| 1981            | - | 5,453 |
| 1982            | - | 5,946 |
| 1983            | - | 5,112 |
| 1984            | - | 5,203 |
| 1985            | - | 7,713 |
| 1986            | - | 8,721 |
| 1987            | - | 8,940 |
|                 |   |       |
| JAN TO AUG 1987 | - | 4,670 |
| JAN TO AUG 1988 | - | 6,766 |

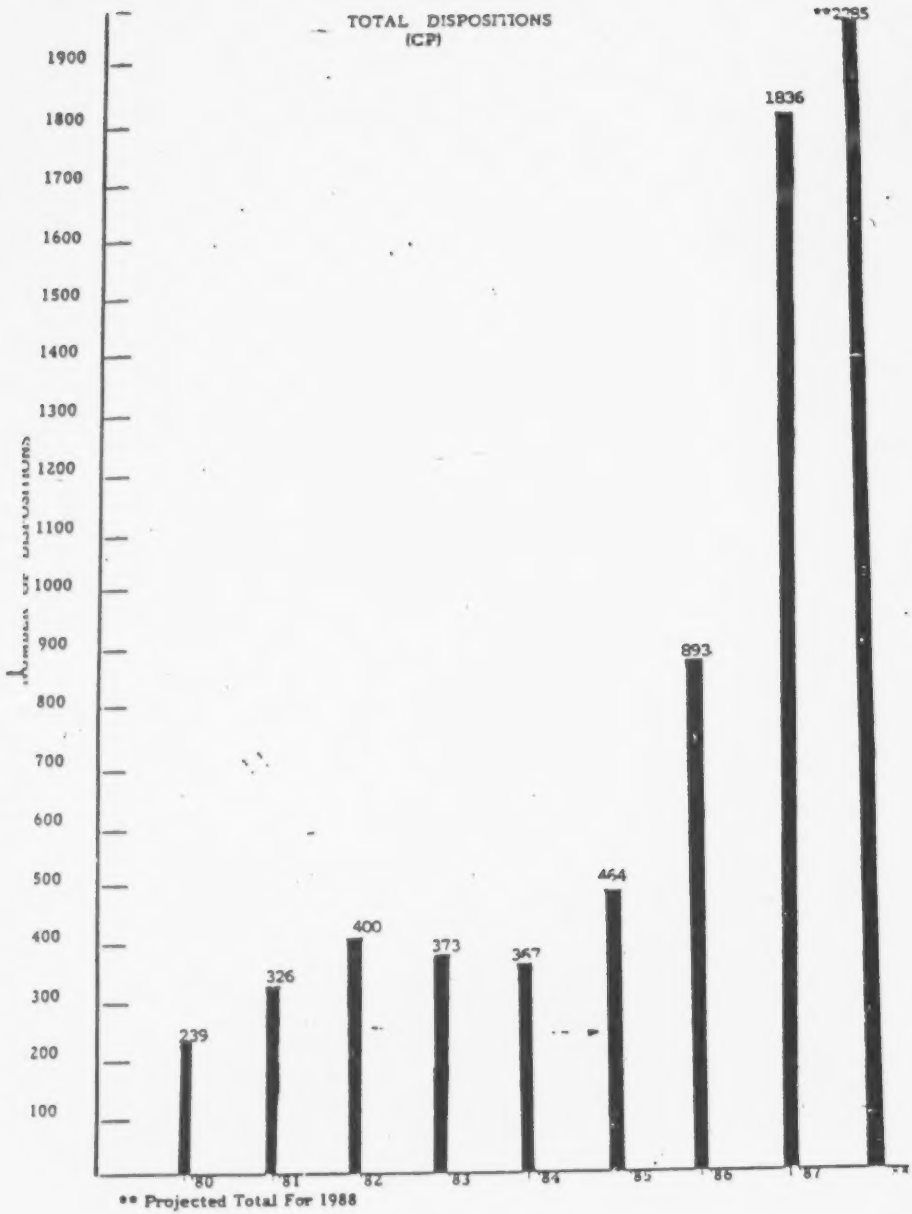
JUVENILE & ADULT NARCOTICS ARRESTS  
BY SALES & POSSESSION - CITY WIDE  
ANNUALS 1980 to 1987 - 1ST HALF, 1988

| <u>ANNUAL 1980</u>    | <u>JUVENILE</u> | <u>ADULT</u> | <u>TOTAL</u> |
|-----------------------|-----------------|--------------|--------------|
| SALES                 | 249             | 1957         | 2206         |
| POSSESSION            | 458             | 2056         | 2514         |
| TOTAL                 | 707             | 4013         | 4720         |
| <u>ANNUAL, 1981</u>   |                 |              |              |
| SALES                 | 165             | 2042         | 2207         |
| POSSESSION            | 493             | 2753         | 3246         |
| TOTAL                 | 658             | 4795         | 5453         |
| <u>ANNUAL, 1982</u>   |                 |              |              |
| SALES                 | 138             | 1953         | 2091         |
| POSSESSION            | 565             | 3290         | 3855         |
| TOTAL                 | 703             | 5243         | 5946         |
| <u>ANNUAL, 1983</u>   |                 |              |              |
| SALES                 | 80              | 1613         | 1693         |
| POSSESSION            | 383             | 3036         | 3419         |
| TOTAL                 | 463             | 4649         | 5112         |
| <u>ANNUAL, 1984</u>   |                 |              |              |
| SALES                 | 114             | 1619         | 1732         |
| POSSESSION            | 418             | 3053         | 3471         |
| TOTAL                 | 532             | 4672         | 5203         |
| <u>ANNUAL, 1985</u>   |                 |              |              |
| SALES                 | 171             | 2557         | 2728         |
| POSSESSION            | 470             | 4515         | 4985         |
| TOTAL                 | 641             | 7072         | 7713         |
| <u>ANNUAL, 1986</u>   |                 |              |              |
| SALES                 | 371             | 3182         | 3553         |
| POSSESSION            | 528             | 4643         | 5171         |
| TOTAL                 | 899             | 7825         | 8724         |
| <u>ANNUAL, 1987</u>   |                 |              |              |
| SALES                 | 479             | 3924         | 4403         |
| POSSESSION            | 474             | 4063         | 4537         |
| TOTAL                 | 953             | 7987         | 8940         |
| <u>1ST HALF, 1988</u> |                 |              |              |
| SALES                 | 543             | 3270         | 3813         |
| POSSESSION            | 334             | 3334         | 3668         |
| TOTAL                 | 877             | 6604         | 7481         |

COMMON PLEAS COURT  
DEFENDANT DISPOSITIONS

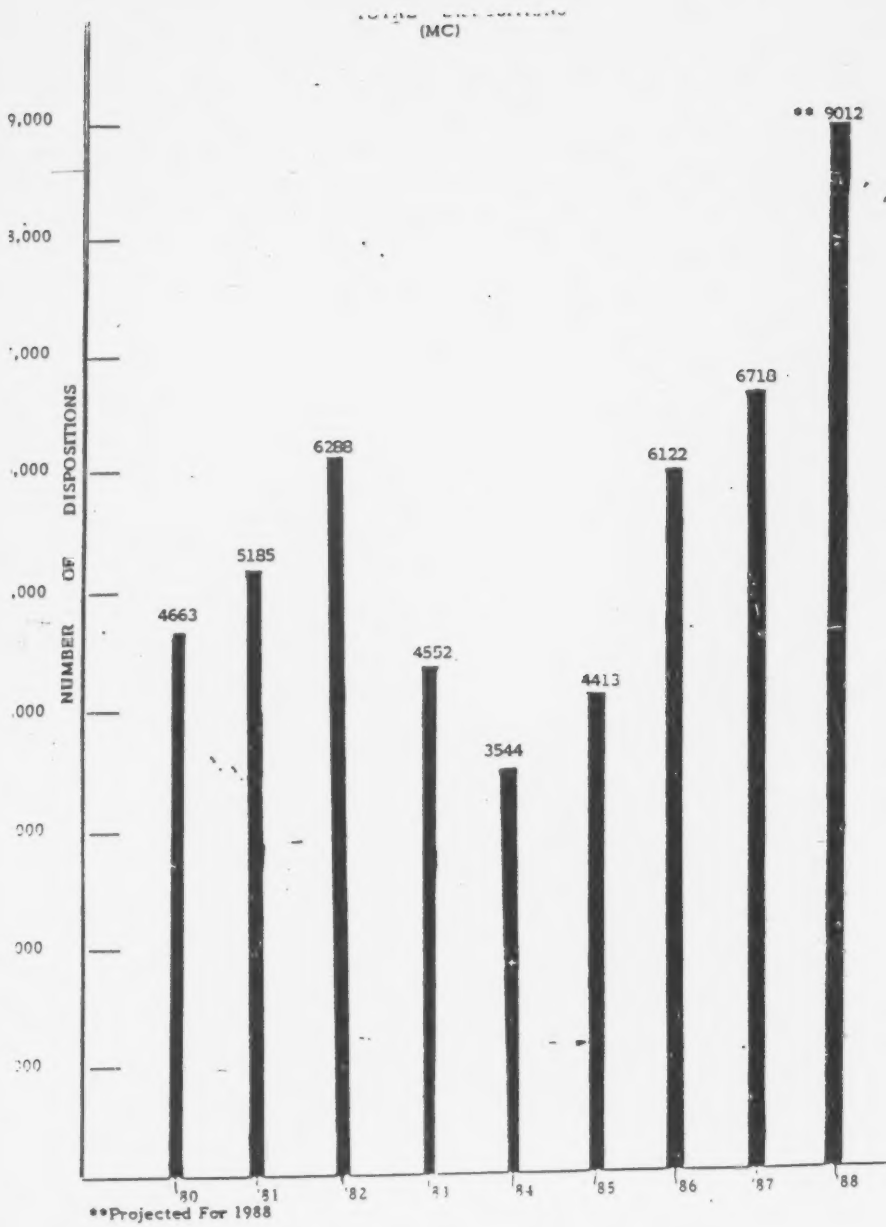
|                | <u>SALE</u> | <u>POSSESSION</u> | <u>OTHER</u> | <u>TOTAL</u> |
|----------------|-------------|-------------------|--------------|--------------|
| 1980           | 234         | 3                 | 2            | 239          |
| 1981           | 21          | 302               | 3            | 326          |
| 1982           | 383         | 17                | -            | 400          |
| 1983           | 348         | 25                | -            | 373          |
| 1984           | 337         | 29                | 1            | 367          |
| 1985           | 437         | 27                | -            | 464          |
| 1986           | 858         | 34                | 1            | 893          |
| 1987           | 1,770       | 65                | 1            | 1,836        |
| 1986 THRU AUG. | 490         | 24                | 1            | 515          |
| 1987 THRU AUG. | 1,184       | 43                | 1            | 1,228        |
| 1988 THRU AUG. | 1,491       | 31                | 1            | 1,523        |





MUNICIPAL COURT  
DEFENDANT DISPOSITIONS

|                | <u>SALE</u> | <u>POSSESSION</u> | <u>OTHER</u> | <u>TOTAL</u> |
|----------------|-------------|-------------------|--------------|--------------|
| 1980           | 38          | 4,553             | 72           | 4,663        |
| 1981           | 2,420       | 2,689             | 76           | 5,185        |
| 1982           | 2,703       | 3,534             | 51           | 6,288        |
| 1983           | 2,005       | 2,504             | 43           | 4,552        |
| 1984           | 1,753       | 1,764             | 27           | 3,544        |
| 1985           | 2,155       | 2,241             | 17           | 4,413        |
| 1986           | 3,406       | 2,699             | 17           | 6,122        |
| 1987           | 3,903       | 2,806             | 9            | 6,718        |
| 1988 THRU AUG. | 3,908       | 2,089             | 11           | 6,008        |



MUNICIPAL COURT

|                | <u>Drug Dispositions</u> | <u>Total Dispositions</u> | <u>%</u> |
|----------------|--------------------------|---------------------------|----------|
| 1980           | 4663                     | 42,483                    | 10.9     |
| 1981           | 5185                     | 42,718                    | 12.1     |
| 1982           | 6288                     | 48,873                    | 12.8     |
| 1983           | 4552                     | 39,174                    | 11.6     |
| 1984           | 3544                     | 35,811                    | 9.9      |
| 1985           | 4413                     | 35,317                    | 12.4     |
| 1986           | 6122                     | 37,245                    | 16.4     |
| 1987           | 6718                     | 42,052                    | 15.9     |
| 1988 August    | 6008                     | 28,724                    | 20.9     |
| 1988 Projected | 9012                     | 43,086                    |          |

COMMON PLEAS COURT

|             | <u>Drug Dispositions</u> | <u>Total Dispositions</u> | <u>%</u> |
|-------------|--------------------------|---------------------------|----------|
| 1980        | 239                      | 7,498                     | 3.1      |
| 1981        | 326                      | 9,458                     | 3.4      |
| 1982        | 400                      | 11,952                    | 3.3      |
| 1983        | 373                      | 9,784                     | 3.8      |
| 1984        | 367                      | 10,986                    | 3.3      |
| 1985        | 464                      | 10,841                    | 4.2      |
| 1986 August | 515                      | 6,783                     | 7.6      |
| 1986 Total  | 893                      | 10,163                    | 8.8      |
| 1987 August | 1228                     | 8,993                     | 13.7     |
| 1987 Total  | 1836                     | 13,156                    | 13.9     |
| 1988 August | 1523                     | 8,708                     | 17.4     |
| 1988 Proj.  | 2188                     | 13,061                    |          |

Source: Court Administration Statistics, M.C. & C.P. Courts.

FAMILY COURT - Juveniles with drug  
Offense as major  
Charge

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| TYPE OF DISPOSITION         | <u>NUMBER OF CASES</u> |             |                          |
|-----------------------------|------------------------|-------------|--------------------------|
|                             | <u>1986</u>            | <u>1987</u> | <u>JAN/JUNE<br/>1988</u> |
| REFERRED ELSEWHERE          | 5                      | 11          | 28                       |
| DISMISSED/WITHDRAWN         | 209                    | 175         | 157                      |
| PROBATION                   | 312                    | 344         | 288                      |
| COMMITTED                   | 177                    | 218         | 202                      |
| CERTIFIED TO CRIMINAL COURT | 16                     | 23          | 11                       |
| OTHER                       | 5                      | -           | 1                        |
| TOTAL                       | 724                    | 771         | 687                      |

ADULT PROBATION DEPARTMENT

| <u>CALANDER YEAR</u> | <u>NUMBER OF PROBATIONERS WITH A DRUG CHARGE</u> |
|----------------------|--------------------------------------------------|
| 1980                 | 643                                              |
| 1981                 | 634                                              |
| 1982                 | 846                                              |
| 1983                 | 811                                              |
| 1984                 | 747                                              |
| 1985                 | 850                                              |
| 1986                 | 1,334                                            |
| 1987                 | 2,248                                            |
| 1987 JAN TO AUG      | 1,520                                            |
| 1988 JAN TO AUG      | 2,521                                            |



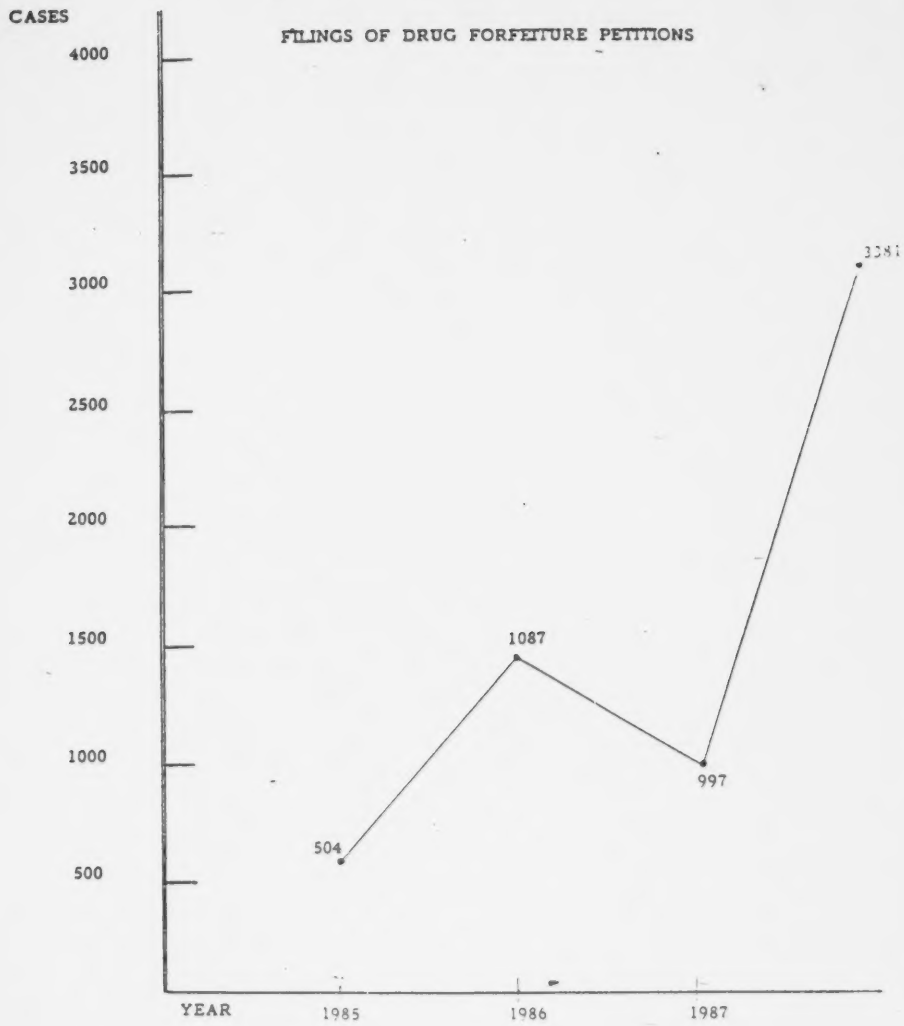
PHILADELPHIA PRISONS (COUNTY JAIL)

. 75% OF THE PERSONS ADMITTED TO THE PHILADELPHIA PRISONS  
HAVE A DRUG AND/OR ALCOHOL PROBLEM

. ADMISSIONS TO PRISON FOR DRUG CHARGES

|                 |                 |                 |
|-----------------|-----------------|-----------------|
| <u>DEC 1987</u> | <u>MAR 1988</u> | <u>AUG 1988</u> |
| 327             | 422             | 282             |

cjANDhs.sup



\*\* Projected Total For 1988

HUMAN SERVICES DATA

PREPARED BY THE  
COORDINATING OFFICE FOR DRUG AND ALCOHOL ABUSE PROGRAMS  
(CODAAP)

## HUMAN SERVICES DATA

PREPARED BY  
THE COORDINATING OFFICE FOR DRUG AND ALCOHOL ABUSE PROGRAMS

1. INTRODUCTION

Philadelphia, the largest City in Pennsylvania, and the fifth largest City in the United States, is located in the extreme Southeastern part of the State. In 1985, the City's population was estimated to be 1,647,566 persons. This estimate represents a decline of over 40,000 since the 1980 national census was conducted.

Philadelphia's population is 59 percent White, 39 percent Black and 2 percent Asian. Hispanics are estimated to make up approximately 5.5 percent of the total population.

Philadelphia is considered to be a City of neighborhoods, with many racial and ethnic groups residing in certain areas. Philadelphia's location along the Boston, New York, Philadelphia, Washington, D.C. corridor make it a logical drop-off point for drugs which are then sold in Philadelphia, the surrounding Pennsylvania counties and in Southern New Jersey.

This report focuses primarily on Philadelphia and includes information from the following sources:

- . Philadelphia Medical Examiner's Office
- . Drug Abuse Warning Network Emergency Room Mentions
- . Drug Treatment Program Admissions
- . Philadelphia Police Department
- . Street Outreach workers
- . AIDS Activities Coordinating Office

## 2. COCAINE

Increasingly in 1987, discussions on drug use in Philadelphia came to be synonymous with discussions about cocaine use. All indicators provide graphic evidence of increasing availability and use of cocaine. Neighborhood Advisory Councils and other citizens groups have responded to the growing cocaine problem by demanding stepped up law enforcement efforts and, to a lesser extent, expanded treatment capacity. Demands for prevention programs to be conducted in both school and community based settings have also been heard, resulting in an even greater strain on the limited treatment and prevention funds which are currently available.

Exhibit 1 contains information on narcotic related and dangerous drug related mortality in Philadelphia. It is important to note that these data include not only those who may have succumbed to the adverse effects of a drug or drugs but also those who may have died as a result of a homicide or accident and who exhibited the presence of substances in their systems.

Overall, deaths increased 21 percent between 1986 and 1987. The increase was reflected in all categories contained in exhibit 1. The greatest increase took place among Hispanics, with deaths among Hispanic males increasing 80 percent between 1986 and 1987. During the same period, deaths among Black males increased 24 percent.

Exhibit 2, reveals the growing presence of cocaine in the toxicology findings. Throughout 1986 and the first quarter of 1987, findings of cocaine appearing in toxicology reports remained relatively flat. In the second quarter of 1987 and throughout the remaining two quarters, cocaine findings quickly escalated so that by the end of 1987, cocaine appeared in 74 percent of all toxicology reports filed by the Philadelphia Medical Examiner. It should also be mentioned that it was rare to find only a single substance in a toxicology report. In fact, throughout 1987, the total of 350 cases averaged 1.75 drugs per case. Clearly, drug users in Philadelphia are mixing a variety of drugs. This point is made repeatedly by former drug users currently in treatment and those who are performing outreach efforts in various Philadelphia neighborhoods.

Exhibit 3, which contains hospital emergency room mentions from 1986 through the first three calendar quarters of 1987, provides further evidence of the explosive growth of cocaine use. During the seven quarters contained in the exhibit, cocaine mentions increased 323 percent. By the third quarter of 1987, cocaine accounted for 31 percent of all mentions. This finding lends further confirmation to the overwhelming impact which cocaine is having in Philadelphia. The drug scene in Philadelphia is dominated by cocaine use.

Exhibit 4 contains information on admissions to substance abuse treatment programs which report to the Philadelphia Department of Public Health. This exhibit includes the majority of treatment programs in Philadelphia with the notable exception of hospital based detoxification programs.

Several years ago, treatment admissions for cocaine abuse surpassed admissions for methamphetamines. By the fourth quarter of 1986, cocaine admissions outnumbered heroin admissions. Then in the third quarter of 1987, cocaine admissions surpassed alcohol admissions. Between the beginning of 1986 and the end of 1987, cocaine admissions went from 11.8 percent of all admissions to 44.3 percent of all admissions. This shift has had a profound effect on drug treatment programs in Philadelphia.

The impacts have been a dramatic increase in the number of people seeking inpatient treatment and the difficulties associated with treating cocaine abusers in a traditional outpatient setting.

With regard to inpatient rehabilitation programs, the Philadelphia Department of Public Health provides funding support for a total of 506 treatment beds/slots. During the period January to March 1988, residential programs reported waiting lists totaling 2,200 persons. While this is not an unduplicated count, it is significant nonetheless. Waiting times average five weeks, but if the drug user is not admitted at the time he presents himself, it is unlikely that he will enter the program when a slot does open up.

Exhibit 5, which was also taken from admission information, provides a dramatic picture of the shift to cocaine smoking. Street outreach workers report that "the pipe is everywhere." Admission data reveal that smoking as the primary route of administration increased from 47 percent of all cocaine admissions in the first quarter of 1986 to 67 percent of all admissions by the end of 1987.

Injection of cocaine is currently the second most frequently named method of use by those seeking treatment. Cocaine injectors, like those who inject heroin, report that they often share needles. While they are aware of AIDS and that sharing needles places them at risk, fear of the disease does not act as a deterrent to this method of use.

Exhibit 6 contains information on drug law offenses and arrests. From these data, it is not possible to isolate cocaine. However, discussions with representatives of the Philadelphia Police Department reveal that enforcement activities are heavily skewed toward cocaine trafficking. Exhibit 6 reveals that the opiates/cocaine derivatives category is the only one showing an



overall increase from 1986 to 1987. It is also important to observe that at the same time offenses increased by 81 percent between 1985 and 1987, arrests increased by 121 percent. With more individuals being arrested, the impact is felt throughout the entire criminal justice system and into the treatment system as well.

The Police Department and other sources report that while cocaine is readily available, prices remain relatively stable. Cocaine continues to sell for \$70.00 to \$100.00 per gram. Ten and twenty dollar bags are commonplace. In some areas of the City, bags are marked with colored tape which identifies the dealer who controls that particular street corner or group of corners.

In addition to the indicators identified above, information on the prevalence of cocaine use is available from a variety of other sources. The Philadelphia Department of Human Services has reported on the alarming increase on reports of child abuse and neglect. Workers investigating the reports indicate that drug abuse, particularly cocaine abuse, is present in the household.

As recently as two years ago, homeless substance abusers were for the most part males and overwhelmingly alcoholics. Now there are two distinct groups making up the homeless population in Philadelphia. The first is the group identified above. The second group, consists of single parents, almost exclusively females with children, who reside in family shelters having gotten there as a result of their drug use. The sequence is as simple as it is insidious. Cocaine use begins and escalates to frequent episodes of smoking cocaine. Financial resources are diverted to purchasing cocaine. Children are neglected, the rent goes unpaid and the outcome is that the woman is evicted by the landlord or put out by the other family members. The woman is then placed in one of a number of family shelters where her substance abuse goes largely unaddressed and often continues unabated. Shelter operators discussing this problem report that 50 to 80 percent of the adults living in family shelters abuse drugs, particularly cocaine.

Outreach workers, particularly those providing AIDS education and information, also provide an important source of prevalence data. They report that cocaine smoking is commonplace. They also report a growing incidence of the crack house phenomenon which has emerged in other cities. The increase in crack sales has been accompanied by a growing amount of violence. It continues to be the case that the majority of cocaine sales are made on the street and that cocaine hydrochloride makes up a considerable amount of the cocaine which is sold. Given the dramatic increase in cocaine smoking, however, many of these who purchase cocaine hydrochloride must be converting it to crack.

Crack also appears in the sale of "diabetos" as they are known in Hispanic neighborhoods. Diabetos are a mixture of marijuana and crack and sell for \$3.00 per stick. Since the chips of crack in these sticks are very small, dealers selling diabetos make large profits.

Over the last several years, increasing numbers of teenagers and even pre-teenagers have become involved in cocaine sales. Young people occupy positions as lookouts, runners, and sellers. Both boys and girls are involved in these activities. Incidents over territory and allegations of holding back cash from sales have resulted in violence and in some cases homicides. These activities by adolescents are coming under increased scrutiny by law enforcement and officials responsible for educational and social service programs.

### 3. HEROIN/MORPHINE

The heroin picture in Philadelphia is much more difficult to understand and interpret than is the picture for cocaine and some other drugs. The reason is that the picture is mixed. In some areas of the City high quality Southeast Asian heroin is available. In other areas only low quality heroin is being sold.

Exhibit 2, which shows heroin/morphine mortality trends, reveals no consistent pattern in any direction. Exhibit 3 contributes to the mixed nature of the picture. Between the first and second quarter of 1987, heroin/morphine mentions increased 40 percent. Between the second and third quarters the increase was 30 percent. There is insufficient information regarding individuals seeking assistance in hospital emergency rooms to be able to make a determination that the increase is due to exposure to high quality heroin.

Recently, several heroin users seeking admission to the same methadone maintenance program within a few days of one another reported the ~~same~~ symptoms following heroin use. They reported blurred vision, slurred speech, disorientation, and muscle stiffness. All had purchased heroin in the same area of Philadelphia. Treatment officials, after discussing the cases with an official from the Centers for Disease Control believe that the symptoms were the result of injecting heroin which had been cut with larger than usual amounts of quinine. Certainly, it is possible that other heroin users could have sought help for these problems in hospital emergency rooms although the event described above occurred too recently to be captured in the mentions contained in exhibit 3.

Exhibit 4 shows that heroin user admissions to treatment programs have remained relatively flat over the last two years, perhaps declining slightly. Heroin admissions continue to make

up approximately 14 percent of the total admissions to the treatment system. Total enrollment in methadone maintenance programs has not declined, remaining at approximately 2312 active patients at the end of any given month. Unlike, New York City, for example, intravenous drug users have not sought out treatment in order to reduce their exposure to the AIDS producing virus. Rather than heroin use, it is cocaine use which is placing the greatest demands on the treatment system.

The Narcotics Unit of the Philadelphia Police Department reports that there are considerable differences in the quality of heroin available in Philadelphia depending where it is purchased. In some areas heroin selling for \$20.00 per bag tests 50 percent or better. In other areas, a \$20.00 bag is typically 2-3 percent pure heroin.

Bags of heroin carry a variety of labels or names. Among the more frequently observed labels on high quality heroin are: "Mercedes Benz"; "Liberty"; "Blue Thunder" and "Sunny". As in some other cities, high quality heroin is referred to as "P-dope". In Philadelphia it is also known as "Do-Wop". Lower quality heroin sometimes found in Hispanic neighborhoods is referred to as "Mateca" (lard).

#### 4. MARIJUANA

Exhibit 5 reveals that treatment programs admit very few primary marijuana users. Marijuana is, however, among the most frequently named secondary drugs. Marijuana users who do seek out treatment are for the most part under the age of 18 and began using marijuana regularly at 13 or 14 years of age.

Exhibit 6 indicates that after opiates/cocaine, marijuana offenses and arrests make up the majority of law enforcement reports. However, unlike the former category which has been increasing, reports of marijuana offenses and arrests have been decreasing.

The most revealing picture of the extent of marijuana use is provided by outreach workers. This group reports that marijuana is readily available and that its use is extensive among drug users of all ages. The outreach reports indicate that there appear to be no dry periods which are the result of production/harvesting cycles. Dry periods occur only if law enforcement efforts are successful in interdicting a significant amount of marijuana bound for Philadelphia or already in Philadelphia. The dry periods which can result from such law enforcement actions are said to be relatively brief with supplies coming within a week or less.

Marijuana prices have remained relatively stable since the report period. Marijuana considered to be of lower quality sells

for \$50.00-\$60.00 per ounce. Higher quality marijuana has a greater variability in price ranging from \$140.00 to \$220.00 per ounce.

#### 5. STIMULANTS

Throughout the late 1960's and 1970's, Philadelphia was known as the methamphetamine capitol of the United States. This is clearly not the situation at the present time. Methamphetamines are not among the four most frequently appearing mentions in toxicology reports. Methamphetamines appeared in only three toxicology reports in 1987.

The same situation is true for emergency room mentions. Methamphetamines/amphetamines while still among the most frequently mentioned drugs, show a considerable decline from several years ago.

Perhaps the most remarkable shift in methamphetamine use is demonstrated in exhibit 5. By the fourth quarter of 1987, methamphetamines/amphetamines made up only two percent of the total admissions to the treatment system. Obviously, "crank" or "monster" as it is known on the street is far from being as available or as in demand as it once was. Methamphetamine sales and use are probably the greatest "casualties" of the shift to cocaine as the drug of choice in Philadelphia.

#### 6. SEDATIVES/HYPNOTICS

In Philadelphia, glutethimide (Doriden) ingested in conjunction with Tylenol containing codeine continues to be significant problem. Exhibit 2 indicates the number of toxicology reports which contained mentions of glutethimide. Exhibit 3 contains emergency room mentions for the same drug. In the case of emergency room mentions, there has been a definite increase in glutethimide mentions in 1987. This increase coincides with a period of significant increase in the availability of this drug in several areas of Philadelphia. During the latter months of 1987 and into early 1988, the Drug Enforcement Administration identified Philadelphia as a source of supply for glutethimide for other cities within a few hundred miles of Philadelphia. In the winter of 1988, hearings were held in Harrisburg, the State Capitol, on the extent of glutethimide use, and it appears that the drug will be placed on schedule II.

The glutethimide and Tylenol combination is known on the street as "T's and D's", "hits", "sets", and "loads". Prices have not fluctuated much in the last year with one glutethimide and three Tylenol-4's selling for \$11.00 to \$15.00.

Alprazolam (Xanax) use has been increasing and alprazolam may be replacing diazepam (Valium) in terms of street availability. Diazepam emergency room mentions, however,

continue to be prominent in the DAWN data.

#### 7. HALLUCINOGENS

LSD in the form of blotter acid dots, window panes and as the Disney character Mickey Mouse appear sporadically in certain sections of Philadelphia. LSD typically sells for \$5.00 to \$10.00 per dose. It is not a commonly used substance in Philadelphia, but its use persists even on a limited basis.

Cigarettes consisting of tea and dipped in embalming fluid were reported being sold in one area of North Philadelphia. The combination is known as "black dust" and sells for \$1.00 per cigarette.

Inhalant use persists in the Fishtown/Kensington section of Philadelphia, an area long known for the use of inhalants. Street outreach workers report that inhalants are popular with pre-teenagers but that use was observed even among those who were in their early twenties. Typical inhalants include the cleaning solvents toluene and carbona.

#### 8. ACQUIRED IMMUNODEFICIENCY SYNDROME [AIDS]

Exhibit 7 presents several different distributions. The cumulative number of cases from November 1981 to March 1987 is shown in order to provide a basis for comparison with column two which shows the number of new cases which were diagnosed in a one year period. Column three shows the total number of cases from November 1981 to March 1988.

Exhibit 7 reveals that there were almost as many cases diagnosed in the one year April 1987 to March 1988 period as in the period November 1981 to March 1987. Two risk groups, intravenous drug users and gay/bisexual drug users produced more cases in the one year period than in the earlier five and half year period. In the one year period, intravenous drug users account for 13 percent of the total cases while this group accounts for 9 percent of the cases from November 1981 to March 1988.

Within the last nine months, the Philadelphia Department of Public Health established an AIDS Activities Coordinating Office to develop policy, and implement educational programs, testing, medical services and shelter services for persons at risk for the disease or who have developed the disease. Currently, educational outreach efforts are underway in areas of the City which have been targeted based upon estimates of high risk behavior, particularly drug use. As of this writing, no evaluation data pertaining to these activities are available.



## EXHIBIT 1

PHILADELPHIA  
NARCOTIC AND DANGEROUS DRUG RELATED  
MORTALITY BY SEX AND RACE  
(JANUARY 1986 TO DECEMBER 1987)

## 1986

|                | MALE<br>BLACK | FEMALE<br>BLACK | MALE<br>WHITE | FEMALE<br>WHITE | MALE<br>HISPANIC | FEMALE<br>HISPANIC | TOTAL |
|----------------|---------------|-----------------|---------------|-----------------|------------------|--------------------|-------|
| FIRST QUARTER  | 24            | 12              | 22            | 6               | 4                | 1                  | 69    |
| SECOND QUARTER | 19            | 5               | 24            | 11              | 1                | 1                  | 61    |
| THIRD QUARTER  | 39            | 7               | 26            | 11              | 4                | 0                  | 87    |
| FOURTH QUARTER | 28            | 4               | 26            | 7               | 6                | 0                  | 71    |
| TOTAL          | 110           | 28              | 98            | 35              | 15               | 2                  | 288   |

## 1987

|                | MALE<br>BLACK | FEMALE<br>BLACK | MALE<br>WHITE | FEMALE<br>WHITE | MALE<br>HISPANIC | FEMALE<br>HISPANIC | TOTAL |
|----------------|---------------|-----------------|---------------|-----------------|------------------|--------------------|-------|
| FIRST QUARTER  | 17            | 6               | 29            | 10              | 3                | 0                  | 66*   |
| SECOND QUARTER | 37            | 8               | 18            | 9               | 7                | 0                  | 79    |
| THIRD QUARTER  | 50            | 7               | 34            | 10              | 8                | 1                  | 110   |
| FOURTH QUARTER | 33            | 10              | 33            | 8               | 9                | 2                  | 95    |
| TOTAL          | 137           | 31              | 114           | 37              | 27               | 3                  | 350   |

\*INCLUDES ONE MALE NATIVE AMERICAN



EXHIBIT 2  
PHILADELPHIA  
NARCOTIC AND DANGEROUS DRUG RELATED  
MORTALITY WITH PRESENCE OF  
SELECTED SUBSTANCE  
(JANUARY 1966 TO DECEMBER 1967)

|                                                              | 1966             |                   |                  |                   | 1967             |                   |                  |                   |
|--------------------------------------------------------------|------------------|-------------------|------------------|-------------------|------------------|-------------------|------------------|-------------------|
|                                                              | FIRST<br>QUARTER | SECOND<br>QUARTER | THIRD<br>QUARTER | FOURTH<br>QUARTER | FIRST<br>QUARTER | SECOND<br>QUARTER | THIRD<br>QUARTER | FOURTH<br>QUARTER |
| COCAINE                                                      | 20               | 13                | 28               | 28                | 27               | 48                | 67               | 71                |
| HEROIN/NORPHINE                                              | 41               | 22                | 31               | 28                | 22               | 12                | 33               | 28                |
| CODEINE                                                      | 13               | 16                | 10               | 14                | 18               | 16                | 16               | 14                |
| GLUTETHIMIDE                                                 | 15               | 12                | 9                | 11                | 14               | 10                | 12               | 14                |
| NUMBER OF<br>TOTAL DEATHS<br>PER QUARTER<br>(ALL SUBSTANCES) | 69               | 61                | 87               | 71                | 66               | 79                | 110              | 110               |

DEPARTMENT OF JUSTICE  
 BY SALES TO THE PUBLIC  
 (JANUARY 1986 TO SEPTEMBER 1987)

|                                                                | 1986             |                   |                  |                   | 1987             |                   |
|----------------------------------------------------------------|------------------|-------------------|------------------|-------------------|------------------|-------------------|
|                                                                | FIRST<br>QUARTER | SECOND<br>QUARTER | THIRD<br>QUARTER | FOURTH<br>QUARTER | FIRST<br>QUARTER | SECOND<br>QUARTER |
| COCAINE                                                        | 276              | 351               | 451              | 462               | 581              | 894               |
| HEROIN/MORPHINE                                                | 133              | 89                | 134              | 112               | 127              | 178               |
| CODEINE                                                        | 23               | 18                | 27               | 6                 | 21               | 26                |
| GLUTETHIMIDE                                                   | 26               | 34                | 48               | 22                | 40               | 46                |
| NUMBER OF TOTAL<br>MENTIONS PER<br>QUARTER<br>(ALL SUBSTANCES) | 2571             | 2566              | 2655             | 2527              | 3057             | 3870              |
|                                                                |                  |                   |                  |                   |                  | 3700              |

APPENDIX C

FEDERAL, STATE, AND LOCAL LEGISLATIVE MATRICES

Prepared by the  
Criminal Justice and Human Services Teams  
of the  
Legislative and Finance Operations Group

## PENDING LEGISLATION: FEDERAL.

Prepared by the Criminal Justice and Human Services Teams of the Legislative and Finance Operations Group.  
The comments on the Federal Omnibus Anti-Drug Bill by the Human Services Team are detailed under Key Legislative Requirements within the document's text. The Human Services Team is in agreement with and supports the concerns as outlined in the Criminal Justice Team matrix for pending Federal Legislation.

## FEDERAL: PENDING

## CRIMINAL JUSTICE

| Issue                                                                    | Federal | State | Local | Law | Rule/<br>Procedure | Funding | Passage        | Sponsor/<br>Contact | Action Required                                                                                                                          | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------------|---------|-------|-------|-----|--------------------|---------|----------------|---------------------|------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 5210<br>Anti-Drug Amendments                                          | X       |       |       | X   |                    | YES     | Passed<br>9-88 | Foley and Michaels  | Concurrent Titles were referred to 11 different committees. Only Title VI, referred to the Committee on the Judiciary, is reviewed here. | Overall support for this legislation, with some important reservations and comments as noted below                                                                                                                                                                                                                                                                                                                                     |
| Title VI / HB 5210<br>Subtitle A - Chemical<br>Diversion and Trafficking |         |       |       |     |                    |         | Passed<br>9-88 |                     | Concurrent                                                                                                                               | Support. Record keeping of chemicals. Additional fines and penalties for violations of Controlled Substance Act.                                                                                                                                                                                                                                                                                                                       |
| Subtitle C - State and<br>Local Assistance                               |         |       |       |     |                    |         |                |                     |                                                                                                                                          | Support Section 6207, on direct distribution of funds to units of local government, with amendment as follows:<br>The formula used in Sec. 6206 and 6207 for figuring the level of funding for an entitlement and jurisdiction should be based upon criminal justice expenditures and drug arrests (Philadelphia makes between 45-49% of the statewide drug arrests and nearly 70-75% of the South-eastern Pennsylvania drug arrests). |

FEDERAL: PENDING

CRIMINAL JUSTICE

| Issue                                                                                                                                                                                                                                                                                        | Federal | State | Local | Law                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Please note: the Omnibus Drug Act of 1988 has been passed by Congress and language reflecting many of these eleven points has been deleted. The City of Philadelphia is working with national organizations and other cities for reconsideration of these issues in the new Congress.</p> |         |       |       | <p>Oppose Section 6208. Provide for 100% Federal funding, with no State or local match required. If some match must be in it, then it should be "in-kind" or a minimum 10% match. The basis for "demonstrated effort" should be expenditures and arrests, <u>not</u> a match.</p> <p>We stress the following additional points as important improvements to the legislation:</p> <ol style="list-style-type: none"><li>1. Major local governmental jurisdictions of 500,000 population or more should receive an entitlement of Federal anti-drug enforcement funds from the State block equal to the proportion of the local entitlement jurisdiction's total criminal justice expenditures and drug arrests for the immediate past calendar year, to the sum total of the criminal justice expenditures and drug arrests for all other local governmental jurisdictions in the State for the same period.</li><li>2. An entitlement should not be a limitation as to the total Federal anti-drug enforcement funds a local jurisdiction may receive from the State block. A local jurisdiction eligible for an entitlement should be able to waive the entitlement if they so choose, and to participate instead in the State block planning and funding process.</li><li>3. Each State should develop the criminal justice expenditures and drug arrests figures for the entitlement formula and present it to the local entitlement jurisdictions for their review and sign-off.</li><li>4. Provide an "urban bonus" equal to 5% of the entitlement for each of the following for which an entitlement jurisdiction may qualify: a) Single or combined local jurisdictions of one million population or more, b) local jurisdictions that have demonstrated an existing criminal justice coordinating mechanism as part of official local government, c) local jurisdictions that are a combined city-county combination, d) local jurisdictions that target as a priority those who sell to youth, or involve them in drug trafficking. The maximum bonus percentage any entitlement jurisdiction can receive should be 20%, and the bonus percentage should be in addition to the entitlement received.</li><li>5. A local entitlement jurisdiction should receive an amount for administration equal to 3% of the entitlement received. This 3% administrative share should come from the State's overall administrative share, and not from the entitlement itself.</li><li>6. A coordinated funding strategy should be required that addresses the impact of increased drug arrests and prosecutions on the adjudication and correctional processes of the criminal justice system. An entitlement jurisdiction's application should address how these will be addressed and funded. Entitlement funds need not fund all three areas - enforcement, adjudication, and correctional, but should address how the needs from each area are being met.</li></ol> |



FEDERAL; PENDING

CRIMINAL JUSTICE

| Issue                                                                                                                         | Federal | State | Local | Law | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------------------------------------------------------------------------------------------------------------|---------|-------|-------|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Subtitle G -<br/>Firearms Provision</p> <p>Subtitle I - Common Carrier,<br/>Locomotive, and Motor Vehicle<br/>Offenses</p> |         |       |       |     | <p>7. All Federal anti-drug enforcement funding should be 100% Federal funding with no State or local match required. A minimal amount of 10% in-kind match is acceptable, if a match is a must. A 50% matching level, as is currently proposed, is prohibitive to local government.</p> <p>8. Provision of an authorization level for State and local law enforcement grants of \$500 million. The proposed \$250 million level for the first year would give us only slightly more than we received from the 1906 Act with its \$230 million national level.</p> <p>9. Provide for the use of Federal facilities and land (military and non-military) by county jails to house those arrested for drug sale violations and awaiting trial. Local governmental staffing costs for these facilities should be eligible for a direct Federal discretionary grant. It would not be taken from the State's entitlement to that local jurisdiction or State block portion.</p> <p>10. Counties which qualify to receive an entitlement for itself and its major City should be required to submit a coordinated entitlement strategy addressing how that county and its major City will coordinate their entitlement funding.</p> <p>11. Direct federal discretionary assistance should be required for these local jurisdictions of 500,000 population or more which are regional "hubs," and fulfill one or more of the following criteria: a) a metropolitan center for a multi-state region, b) an international airport serving a multi-state region, c) a deep water port serving a multi-state region, and d) a major U.S. interstate highway, rail, and bus operation serving a multi-state region. The direct federal discretionary assistance can be either grants or federal services such as DEA and Customs agents, federal prosecution, etc., or both.</p> |
|                                                                                                                               |         |       |       |     | The Brady Amendment has been defeated.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                                                                                               |         |       |       |     | Concept of drug testing in certain occupations is supported by law enforcement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                                                                               |         |       |       |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                                                                               |         |       |       |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

PENDING AND FUTURE HUMAN SERVICES LEGISLATION: STATE

Prepared by Human Services Team  
Legislative and Finance Operations Group

## STATE: PENDING AND FUTURE

## HUMAN SERVICES

| Issue                                                                                                                            | Federal | State | Local | Law | Rule/Procedure | Funding | P | Passage<br>NP UK | Sponsor/<br>Contact            | Action Required                                                                                                          | Comment |
|----------------------------------------------------------------------------------------------------------------------------------|---------|-------|-------|-----|----------------|---------|---|------------------|--------------------------------|--------------------------------------------------------------------------------------------------------------------------|---------|
| H.R. 505 amends Act 175 of 1929 to provide for medical assistance payments for substance abuse detoxification and rehabilitation |         | X     |       | X   |                | YES     |   | NP               | Lambach, et al.,<br>and INSHRP | Passage is probable. Awaiting Senate vote. Very important to lobby for passage and to cement on rules for implementation | SENTRY  |
| S.B. 415 is the Senate version of H.R. 505 (above)                                                                               |         | X     |       | X   |                | YES     |   | NP               | Rosen et al.,<br>and INSHRP    | Same as above                                                                                                            | SENTRY  |

## STATE: PENDING AND FUTURE

## HUMAN SERVICES

| Issue                                                                                                                                                                                                                                                                                                                             | Federal | State | Local | Law | Rule/Procedure | Funding | P | NP  | UK | Spouse/<br>Contact           | Action Required                                                                                                                                   | Comment |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------|-------|-----|----------------|---------|---|-----|----|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| S.B. 905 amends Act 175 of 1929 to provide for residential drug and alcohol treatment programs for destitute pregnant women and women with dependent children                                                                                                                                                                     | X       |       |       | X   |                |         |   | YES | NP | Jones, et al.                | Hearings held in Philadelphia. Funding is insufficient. This bill raises all of the problems of categorical initiatives. Currently in the Senate. | SUPPORT |
| H.B. 969 amends Act 21 of 1951, the Liquor Code, by defining Liquor Control Board revenue use, providing 2% of the net revenue for study of the problem of alcoholism, treatment and rehabilitation of persons addicted to the excessive use of alcohol, and for the promotion of alcoholism prevention and educational programs. | X       |       |       | X   |                |         |   | YES | NP | Michlowicz, et al. and INSUP | Has not left the House                                                                                                                            | SUPPORT |
| H.B. 1525 amends Act 124 of 1975, regarding child abuse, by providing for reporting in certain cases of controlled substances.                                                                                                                                                                                                    | X       |       |       | X   |                |         |   | YES | NP | Greenwald, et al. and INSUP  | Will probably pass in the Senate quickly. Could face trouble in the House for budget reasons.                                                     | SUPPORT |
| S.B. 906 makes a direct financial appropriation to Genentech, Inc. of Philadelphia for operations of its residential drug and alcohol program for women with their children located in Lancaster, Pa.                                                                                                                             | X       |       |       | X   |                |         |   | YES | NP | Jones, et al. and INSUP      |                                                                                                                                                   | SUPPORT |

## STATES: PENDING AND FUTURE

## HUMAN SERVICES

| Issue                                                                                                                                                                | Federal | State | Local | Law | Rule/Procedure | Pending | Passage<br>P NP UK | Sponsor/<br>Contact            | Action Required | Comment |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------|-------|-----|----------------|---------|--------------------|--------------------------------|-----------------|---------|
| H.B. 179 amends Act 331 of 1931, first class townships, by making an appropriation for support of drug and alcohol abuse programs.                                   |         | X     |       | X   |                | YES     | NP                 | Cowell, et al.,<br>and DMSRP   |                 | SUPPORT |
| H.B. 180 amends Act 581 of 1966, regarding boroughs, by making an appropriation for support of drug and alcohol abuse programs.                                      |         | X     |       | X   |                | YES     | NP                 | Cowell, et al.,<br>and DMSRP   |                 | SUPPORT |
| S.B. 1531 amends Act 175, the Administrative Code, to create the Dept of Drug Abuse Prevention.                                                                      |         | X     |       | X   |                | YES     | NP                 | Williams, et al.,<br>and DMSRP |                 | SUPPORT |
| H.B. 1416 amends Act 175 of 1929 by requiring inservice programs for all school personnel in alcohol and chemical abuse.                                             |         | X     |       | X   |                | NO      | NP                 | Cornell, et al.,<br>and DMSRP  |                 | SUPPORT |
| S.B. 987 amends Act 14 of 1949 relating to schools, the Public School Code of 1949, by requiring instruction in "the dangers" of alcohol and chemical abuse.         |         | X     |       | X   |                | NO      | NP                 | Fisher, et al.,<br>and DMSRP   |                 | SUPPORT |
| S.B. 1527 amends Act 14 of 1949, the Public School Code, by making conviction of school employees of offenses under Act 64, the Drug Law, a condition for dismissal. |         | X     |       | X   |                | NO      | NP                 | Pecora, et al.,<br>and DMSRP   |                 | SUPPORT |

## HUMAN SERVICES

## STATE: PENDING AND FUTURE

| Issue                                                                                                                                                                                                                 | Federal |  | State | Local | Law | Rule/Procedure | Funding | Passage |    |    | Sponsor/<br>Contact              | Action Required | Comment |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|--|-------|-------|-----|----------------|---------|---------|----|----|----------------------------------|-----------------|---------|
|                                                                                                                                                                                                                       |         |  |       |       |     |                |         | P       | NP | UK |                                  |                 |         |
| H.B. 966 amends Title 18 by defining offenses relating to unlawful use of alcohol or drugs by public transportation workers.                                                                                          | X       |  | X     |       | X   |                | NO      |         | NP |    | Cowell, et al.,<br>and INSTOP    |                 | SUPPORT |
| S.B. 732 provides for drug testing for mass transit employees; provides causes for discharge as a result of drug testing; provides for regulations to be established by the State Department of Health.               | X       |  | X     |       | X   |                | NO      |         | NP |    | Greenleaf, et al.,<br>and INSTOP |                 | SUPPORT |
| H.B. 1915 provides for the testing of certain patients in emergency conditions, emergency workers and drug users for AIDS.                                                                                            | X       |  | X     |       | X   |                | NO      |         | NP |    | Leh, et al.,<br>and INSTOP       |                 | SUPPORT |
| H.B. 2274 provides for the testing of certain persons for AIDS, for duties of the State Department of Health, and including penalties.                                                                                | X       |  | X     |       | X   |                | NO      |         | NP |    | Perzel, et al.,<br>and INSTOP    |                 | SUPPORT |
| H.B. 2242 amends Act 500 of 1956, the Disease Prevention and Control Law, by adding a section requiring the State Department of Health to promulgate regulations affecting the disposal of used needles and syringes. | X       |  | X     |       | X   |                | NO      |         | NP |    | O'Brien and INSTOP               |                 | SUPPORT |



## STATE: PENDING AND FUTURE

## HUMAN SERVICES

| Issue                                                                                                                                                                                                                                                                                                              | Federal | State | Local | Law | Rule/Procedure | Pending | Passage<br>P NP UK | Sponsor/<br>Contact | Action Required                  | Comment |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------|-------|-----|----------------|---------|--------------------|---------------------|----------------------------------|---------|
| H.B. 1590 requires that the four (rotating) warning labels on liquor bottles be affixed by the manufacturer prior to purchase by the LCB.                                                                                                                                                                          |         | X     |       | X   |                |         | NO                 | NP                  | Bimelin, et al.,<br>and DASVOP   | SUPPORT |
| S.B. 142 amends Act 143 of 1966, the Mental Health Procedures Act, by including persons addicted to drugs or alcohol to the procedures regarding treatment and rights affecting voluntary and involuntary examination and treatment and for determinations affecting those charged with a crime or under sentence. |         | X     |       | X   |                |         | NO                 | NP                  | Greenleaf and<br>DASVOP          | SUPPORT |
| S.B. 1376 amends the Emergency Medical Services Act, Act 45 of 1985, by imposing a fee on Accelerated Rehabilitation Disposition (ARD) persons for use by emergency medical services providers.                                                                                                                    |         | X     |       | X   |                |         | NO                 | NP                  | Greenwood, et al.,<br>and DASVOP | SUPPORT |
| H.B. 1589 requires warning labels to be affixed to all bottles of liquor sold at PA liquor stores. Four labels, rotating quarterly, are specified in the Bill. Includes wine coolers under definitional section.<br>(47 P.S. Sec. 1.102 "Liquor"                                                                   |         | X     |       | X   |                |         | NO                 | NP                  | Bimelin, et al.,<br>and DASVOP   | SUPPORT |

EXISTING CRIMINAL JUSTICE LEGISLATION: STATE

Prepared by Criminal Justice Team  
Legislative and Finance Operations Group



PENDING AND FUTURE CRIMINAL JUSTICE LEGISLATION: STATE

Prepared by Criminal Justice Team  
Legislative and Finance Operations Group

## STATE: PENDING AND FUTURE

## CRIMINAL JUSTICE

| Issue                                                                                                                                                                                                                        | Federal | State | Local | Law | Rule/Procedure | Pending | Passage<br>P H <sup>1</sup> UK | Sponsor/<br>Contact  | Action Required                                                                                                                                           | Comment |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------|-------|-----|----------------|---------|--------------------------------|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| Amends Criminal History Record Information Act (CIRIA), 18 PA C.S.A. 9101, et seq., to permit computer storage of intelligence, investigative and treatment data by county-wide law enforcement agencies and others (SB 973) |         | X     |       | X   |                | NO      |                                | Hooper, et al.       | New on 2nd consideration in House                                                                                                                         | SUPPORT |
| Amends State Wiretap Act to bring State law into conformity with provisions of Electronic Privacy Act of 1986, 18 U.S.C. 2510, et seq. (SB 1101)                                                                             |         | X     |       | X   |                | NO      |                                | Greenleaf, et al.    | Failure to enact by October will result in the eventual nullification of State's wiretap law. Approved by Senate, bottled up by House Judiciary Committee | SUPPORT |
| Adds criminal forfeiture section to State's RICO law, 18 PA S.C.A. 911 (SB 1381)                                                                                                                                             |         | X     |       | X   |                | YES     |                                | O'Pake, et al.       |                                                                                                                                                           | SUPPORT |
| Amends the Juvenile Act to allow public disclosure of a juvenile's record when convicted of any violation of Controlled Substance Act (SB 1435)                                                                              |         | X     |       | X   |                | NO      |                                | O'Pake and Greenleaf | Passed Senate, bottled up in House Judiciary Committee since June 1988                                                                                    | SUPPORT |
| Makes providing contraband to confined persons by Prison guards a felony of 2nd degree (SB 1539)                                                                                                                             |         | X     |       | X   |                | NO      |                                | Rum, et al.          | Referred to Senate Judiciary Committee, July 5, 1988                                                                                                      | SUPPORT |

## STATE: PENDING AND FUTURE

## CRIMINAL JUSTICE

| Issue                                                                                                                                                                                                           | Federal | State | Local | Law | Rule/Procedure | Funding | Passage<br>P NP UK | Sponsor/<br>Contact | Action Required                                          | Comment                                                                                                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------|-------|-----|----------------|---------|--------------------|---------------------|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| Requires arresting officer to transmit defendant wanted on arrest warrant for failure to appear on nearest State correctional institution for purpose of posting bail (SB 1540)                                 |         | X     |       | X   |                | NO      |                    | Fano, et al.        |                                                          | Support idea of State time; oppose trans- port of such person by Police Dept. Responsibility should be Sheriff's |
| Creates five new judgeships to handle narcotics cases exclusively (SB 1541)                                                                                                                                     |         | X     |       | X   |                | NO      |                    | Fano, et al.        |                                                          | SUPPORT                                                                                                          |
| Makes sale or possession of controlled substance grounds for eviction of tenant (SB 1542)                                                                                                                       |         | X     |       | X   |                | NO      |                    | Fano, et al.        |                                                          | Needs consid- eration of whether mere possession should be included                                              |
| Amends Uniform Firearms Act to permit individuals under 21 who have not been convicted of a misdemeanor, but not a felony, to obtain a license to carry a firearm concealed on person or in a vehicle (HB 1878) |         | X     |       | X   |                | NO      |                    | Galsball, et al.    | Approved by House Judiciary Committee                    | OFFICE                                                                                                           |
| Makes ownership or possession of firearm by person convicted under controlled Substance Act a 3rd degree felony (HB 2341)                                                                                       |         | X     |       | X   |                | NO      |                    | Kosinski, et al.    | Bottled up in House Judiciary Committee since April 1988 | SUPPORT                                                                                                          |



## STATE: PENDING AND FUTURE

## CRIMINAL JUSTICE

| Issue                                                                                                                                                                         | Federal | State | Local | Law | Rule/Procedure | Funding | Passage<br>P NP YK | Sponsor/<br>Contact | Action Required                                                | Comment                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------|-------|-----|----------------|---------|--------------------|---------------------|----------------------------------------------------------------|----------------------------------|
| Imposes mandatory 10 year sentence for using minors to engage in drug trafficking (HB 2460)                                                                                   |         | X     |       | X   |                |         | NO                 | Fattah, et al.      | Passed House; Referred to Senate Judiciary Committee on July 8 | SUPPORT                          |
| Amends the Public School Code by permitting the termination of any school district employee convicted of delivery of drugs or possession with the intent to deliver (HB 2485) |         | X     |       | X   |                |         | NO                 | DeLuca, et al.      | Re-committed to House Rules Committee, June 1988               | SUPPORT                          |
| Requirement to complete rehabilitation program as a condition of parole for drug offenders (SB 1530)                                                                          |         | X     |       | X   |                |         | NO                 | Williams, et al.    | Referred to Law and Justice, June 1988                         | SUPPORT - Amend to add probation |
| <u>TITLE 18 - CRIMES AND OFFENSES</u>                                                                                                                                         |         |       |       |     |                |         |                    |                     |                                                                |                                  |
| - Required reporting of overbores and overbores reactions to State Police (SB180)                                                                                             |         | X     |       | X   |                |         | NO                 | Greenleaf, et al.   | Referred to Senate Judiciary Committee, June 1988              | NO POSITION                      |
| - Furnishing drug-free urine for testing purposes a misdemeanor of 3rd degree (HB957)                                                                                         |         | X     |       | X   |                |         | NO                 | Sauman, et al.      | Referred to House Judiciary Committee, April 6, 1987           | SUPPORT                          |
| - Adulteration of controlled substance with intent to cause harm made a second degree felony (HB 620)                                                                         |         | X     |       | X   |                |         | NO                 | Nahill, et al       | Referred to Judiciary Committee March 4, 1987                  | SUPPORT                          |

## STATE: PENDING AND FUTURE

## CRIMINAL JUSTICE

| Issue                                                                                                                                               | Federal | State | Local | Law | Rule/Procedure | Funding | Passage<br>P NP UK | Sponsor/<br>Contact | Action Required                                                                 | Comment     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------|-------|-----|----------------|---------|--------------------|---------------------|---------------------------------------------------------------------------------|-------------|
| <u>SUBSTANCE ABUSE TESTING</u>                                                                                                                      |         |       |       |     |                |         |                    |                     |                                                                                 |             |
| Sets standards for substance abuse tests administered to employees (HB27)                                                                           | X       |       |       | X   |                |         | NO                 | Pitts, et al.       | Referred to House Labor Committee                                               | SUPPORT     |
| Sets standards and practices to be known as "Employee Rehabilitation and Drug Testing Standards Act" (HB928)                                        | X       |       |       | X   |                |         | NO                 | Olsen, et al.       | Recommitted to House Appropriations Comm., June 7, 1988                         | OPPOSE      |
| <u>TITLE 75 - VEHICLES</u>                                                                                                                          |         |       |       |     |                |         |                    |                     |                                                                                 |             |
| Sentencing court may sentence to a minimum term of imprisonment in a hospital for driving under influence of alcohol or controlled substance (SB49) | X       |       |       | X   |                |         | NO                 | Holl                | Re-committed to Senate Judiciary Committee, March 22, 1988                      | NO POSITION |
| Surcharge upon conviction of driving under the influence of alcohol or controlled substance imposed and deposited into the CMT fund (SB123)         | X       |       |       | X   |                |         | YES                | Helfrick, et al.    | Senate Committee Conf. June 20, 1988 (Senate not-concurred in House amendments) | SUPPORT     |
| Cost of blood tests administered to suspects of DUI to be imposed on Defendants (SB126)                                                             | X       |       |       | X   |                |         | YES                | Helfrick, et al.    | Referred to Senate Judiciary Committee, January 15, 1987                        | SUPPORT     |

## STATE: PENDING AND FUTURE

## CRIMINAL JUSTICE

| Issue                                                                                                       | Federal | State | Local | Law | Rule/Procedure | Funding | Passage<br>P H R UK | Sponsor/<br>Contact | Action Required                                          | Comment     |
|-------------------------------------------------------------------------------------------------------------|---------|-------|-------|-----|----------------|---------|---------------------|---------------------|----------------------------------------------------------|-------------|
| "Violation was committed under influence of controlled substance" excluded as defense to DUI charge (SB881) |         | X     |       | X   |                | NO      |                     | Brightbill, et al.  | Referred to House Transportation Comm. October 20, 1987  | SUPPORT     |
| Police shall confiscate driver's license of person charged with DUI (SB881)                                 |         | X     |       | X   |                | NO      |                     | Andrezeaki, et al.  | Referred to Senate Judiciary Committee, October 16, 1987 | NO POSITION |
| Junior driver's license may be revoked for 90 days for DUI or refusal of chemical testing (SB1111)          |         | X     |       | X   |                | NO      |                     | Andrezeaki, et al.  | Referred to Senate Judiciary Committee October 16, 1988  | NO POSITION |
| Person may be arrested without a warrant for violating DUI (HB107)                                          |         | X     |       | X   |                | NO      |                     | Laughton, et al.    | Re-committed to House Judiciary Committee, May 12, 1987  | NO POSITION |
| P.L. 233 NO. 64 (DRUG, DEVICE, AND COSMETIC ACT)                                                            |         |       |       |     |                |         |                     |                     |                                                          |             |
| - Adds Alfentanil hydrochloride to the list of controlled substances (SB483)                                |         | X     |       | X   |                | NO      |                     | Loquer              | Referred to Public Health and Welfare, March 4, 1987     | NO POSITION |

## STATE: PENDING AND FUTURE

## CRIMINAL JUSTICE

| Issue                                                                                                                                               | Federal | State | Local | Law | Rule/Procedure | Pending | Passage<br>P NP UK | Sponsor/<br>Contact | Action Required                                             | Comment     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------|-------|-----|----------------|---------|--------------------|---------------------|-------------------------------------------------------------|-------------|
| - Second degree murder and life sentence for persons who sell and distribute controlled substances or designer drug, and the recipient dies (SB885) | X       |       |       | X   |                |         |                    | Fisher, et al.      | Referred to Senate Judiciary Committee, June 1987           | NO POSITION |
| - Creates a toll-free hot line for private individuals to provide information to the PA State Police regarding evidence of drug abuse (HB330)       | X       |       |       | X   |                |         |                    | Fox, et al.         | Referred to Health and Welfare Committee, February 23, 1987 | SUPPORT     |
| - Person arrested for DUI must be informed that driving privileges will be suspended for refusal of chemical testing (HB273)                        | X       |       |       | X   |                |         |                    | Steiguer, et al.    | Referred to Senate Transportation Committee, June 29, 1987  | NO POSITION |
| - Imposes minimum sentence with probation for homicide by vehicle (HB1318)                                                                          | X       |       |       | X   |                |         |                    | Piccola, et al.     | Referred to House Judiciary Committee May 11, 1987          | SUPPORT     |
| The term "Crime" amended to include DUI and homicide by vehicle (HB1485)                                                                            | X       |       |       | X   |                |         |                    | Cornell, et al.     | Referred to House Judiciary Committee June 11, 1987         | SUPPORT     |
| Makes blood and urine tests mandatory with lower of two used for purpose of prosecution (HB1627)                                                    | X       |       |       | X   |                |         |                    | Olasz, et al.       | Referred to House Transportation Com. June 30, 1987         | SUPPORT     |

## STATE: PENDING AND FUTURE

## CRIMINAL JUSTICE

| Issue                                                                                                                                                                                      | Federal | State | Local | Law | Rule/Procedure | Funding | Passage<br>P NP UK | Sponsor/<br>Contact | Action Required                                        | Comment                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------|-------|-----|----------------|---------|--------------------|---------------------|--------------------------------------------------------|-----------------------------------|
| Homicide by vehicle a first degree felony if offense is intentional (HB1791)                                                                                                               |         | X     |       |     |                |         | NO                 | Trello, et al.      | Referred to House Transportation Comm.                 | SUPPORT                           |
| DUI violators liable for up to \$1,000 in reasonable costs incurred by State or political sub-divisions in seeking appropriate emergency response to incident caused by violation (HB2504) |         | X     |       |     |                |         | YES                | Sauman, et al.      | Referred to House Transportation Comm.                 | SUPPORT                           |
| PA LIQUOR CODE: (P.L. 90, NO. 21)<br>- Licensee or employee who commits violation of Drug, Device and Cosmetic Act may cause penalties, and grading of penalties (SB452)                   |         | X     |       |     |                |         | NO                 | Greenleaf           | Referred to Senate Law and Justice Comm. March 2, 1987 | SUPPORT                           |
| TAXATION<br>- Dept. of Revenue empowered to impose tax on sale, use, consumption, distribution, manufacture, etc. of controlled substances (SB60)                                          |         | X     |       |     |                |         | NO                 | Helfrick, et al.    | Referred to Senate Finance Committee January 15, 1987  | Concept support-able in some form |

## STATE: PENDING AND FUTURE

## CRIMINAL JUSTICE

| Issue                                                                                                                                                                                                                                                                                                                                                                                        | Federal | State | Local | Law | Rule/Procedure | Pending | Passage<br>P<br>or<br>UK | Sponsor/<br>Contact | Action Required                                           | Comment |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------|-------|-----|----------------|---------|--------------------------|---------------------|-----------------------------------------------------------|---------|
| Creates offense of leading a narcotic trafficking network, defined as conspiring with others as an organizer, supervisor, financier, or manager to engage in a for-profit scheme to manufacture or distribute controlled substances. Imposes minimum sentence of 20 years and maximum fine of \$500,000 or five times the amount of the transaction involved, whichever is greater. (SB1595) |         | X     |       |     |                |         | YES                      | Heifrick            | Referred to Senate Judiciary Committee, September 9, 1988 | SHUTTER |
| Creates offense of drug induced deaths, a first degree felony, for any person who manufactures, distributes, or dispenses controlled substance, and person dies from consumption of drug. Excludes certain defenses. (SB1594)                                                                                                                                                                |         | X     |       | X   |                |         | NO                       | Heifrick            | Referred to Senate Judiciary Committee, September 9, 1988 | SHUTTER |
| Adults as well as minors forfeit driver's license upon conviction of any drug-related offense: 180 days for first offense, 1 year for second, and 2 year for subsequent offense (SB1597)                                                                                                                                                                                                     |         | X     |       | X   |                |         | NO                       | Heifrick            | Referred to Senate Judiciary Committee, September 9, 1988 | SHUTTER |
| Extra penalties for selling drugs within 1,000 feet of drug-free zone apply to sale to adults as well as to minors (SB1598)                                                                                                                                                                                                                                                                  |         | X     |       | X   |                |         | NO                       | Heifrick            | Referred to Senate Judiciary Committee, September 9, 1988 | SHUTTER |



## STATE: PENDING AND FUTURE

## CRIMINAL JUSTICE

| Issue                                                                                                                                                                                                                                                                                                                                  | Federal | State | Local | Law | Rule/Procedure | Funding | Passage |    |    | Sponsor/<br>Contact | Action Required                                           | Comment |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------|-------|-----|----------------|---------|---------|----|----|---------------------|-----------------------------------------------------------|---------|
|                                                                                                                                                                                                                                                                                                                                        |         |       |       |     |                |         | P       | NP | UK |                     |                                                           |         |
| Imposes surcharge of \$100 on those convicted of drug and alcohol-related offenses, to be divided evenly between county-based drug and alcohol programs and Drug-Free Zone Enforcement Fund for program-grants by FODD (SB1599)                                                                                                        |         | X     |       | X   |                |         |         |    |    | Heifrick            | Referred to Senate Judiciary Committee, September 9, 1988 | SB1599  |
| Legislation needs to be introduced for the State to provide the hard cash match for Criminal Justice, Treatment, Education and Prevention, where match is required by Fed. legislation                                                                                                                                                 |         | X     |       | X   |                |         |         |    |    |                     | Bill needs to be drafted and sponsor determined           | SB1599  |
| All members of the criminal justice/law enforcement community recognizes the necessity for the establishment and funding of a formalized Victim Witness Protection Program to provide protection, housing and related services to both adult and juvenile witnesses who are directly involved in drug-related arrests and prosecutions |         | X     |       | X   |                |         |         |    |    |                     | Bill needs to be drafted and sponsor determined           | SB1599  |

## STATE: PENDING AND FUTURE

## CRIMINAL JUSTICE

| Issue                                                                                                                                                                                                                                                                                                               | Federal | State | Local | Law | Rule/Procedure | Funding | Passage<br>P NP UK | Sponsor/<br>Contact         | Action Required                                  | Comment         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------|-------|-----|----------------|---------|--------------------|-----------------------------|--------------------------------------------------|-----------------|
| Amendment to HB 1743, the Capital Budget Bill. To provide 50 million dollars for the construction of a State prison facility to be built in Philadelphia, for the purpose of housing drug offenders from the 1st Judicial District, and another \$50 million for a prison for Phila. pre-trial drug case defendants |         | X     |       | X   |                | YES     |                    | Fumo                        | Amendment will be introduced after Senate recess | SUPPORT         |
| \$250 million bond referendum to expand State Prisons; some funds to be made available as interest-free loans to counties for construction of new prisons or improvement of old                                                                                                                                     |         | X     |       | X   |                | YES     |                    | Sen. Greenleaf,<br>Rep. Fox | Bill will be introduced after legislative recess | SUPPORT         |
| Legislation to provide direct funding to Criminal Justice agencies that experience an increase in adjudication and corrections workload, due to increases in drug arrests and prosecutions. This legislation would address such things as increased court caseloads and the need for additional county jail space   |         | X     |       | X   |                | YES     |                    |                             | Future - Bill needs to be drafted                | HEAVILY SUPPORT |

STATE: PENDING AND FUTURE

CRIMINAL JUSTICE

| Issue                                                                                                                                                                               | Federal | State | Local | Law | Rule/Procedure | Funding | Passage<br>P NP UK | Sponsor/<br>Contact | Action Required                       | Comment |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------|-------|-----|----------------|---------|--------------------|---------------------|---------------------------------------|---------|
| Expansion of Forfeiture law<br>from applying only to drugs,<br>liquors, cigarettes and<br>gambling to applying to<br>every indictable offense<br>(i.e., above a summary<br>offense) |         | X     |       | X   |                | YES     |                    | Greenleaf           | Proposal from PA.<br>Crime Commission | SUPPORT |

## SUMMARY OF STATE LEGISLATION

Prepared by the Criminal Justice Team and the Human Services Team  
Legislative and Financial Operations Group

In this section the designations "p", for Priority, and "OB", for Other Bills have been used. The Priority legislation consists of Bills that have a possibility of final vote in the current legislative session. Other Bills are not likely to be voted on this session. Neither designation should be construed as a level of support. Indications of support, opposition, or no position appear in the matrix in the Comment column.

| Criminal Justice/Human Services                                                           |           | STATE: COMBINED ISSUES SUMMARY |                  | PRIORITY<br>OTHER BILLS |  |
|-------------------------------------------------------------------------------------------|-----------|--------------------------------|------------------|-------------------------|--|
| ISSUE                                                                                     | NUMBER    | MAIN SPONSOR                   | REPORT SECTION   |                         |  |
| • Amendments to Wiretap Act                                                               | S.B. 1101 | Greenleaf                      | Criminal Justice | P                       |  |
| • Computer Storage of intelligence/investigative/treatment data by county law enforcement | S.B. 973  | Hopew                          | Criminal Justice | P                       |  |
| • Criminal Forfeiture Amendments                                                          | S.B. 1381 | O'Pake et al                   | Criminal Justice | P                       |  |
| • Public disclosure of a juvenile's record when convicted of drug law offense             | S.B. 1435 | O'Pake                         | Criminal Justice | P                       |  |
| • Provision of contraband to confined persons by guards a second degree felony            | S.B. 1539 | Puno                           | Criminal Justice | P                       |  |
| • Responsibility for transmission of defendant                                            | S.B. 1540 | Puno                           | Criminal Justice | P                       |  |
| • New judgeships for narcotics cases only                                                 | S.B. 1541 | Puno                           | Criminal Justice | P                       |  |
| • Tenant evictions for drug sales or possession                                           | S.B. 1542 | Puno                           | Criminal Justice | P                       |  |
| • Licenses availability and possession of concealed firearms by minors                    | H.B. 1878 | Godshall                       | Criminal Justice | P                       |  |
| • Ownership or possession of firearms by Drug Law convicted person a third degree felony  | H.B. 2341 | Kosonaki                       | Criminal Justice | P                       |  |

## Criminal Justice/Human Services

## STATE: COMBINED ISSUES SUMMARY

| ISSUE                                                                                                                                                                                                                     | NUMBER    | MAIN SPONSOR                | REPORT SECTION   | PRIORITY<br>OTHER BILLS |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------------------------|------------------|-------------------------|
| • Mandatory 10 year sentence for using minors in drug trafficking                                                                                                                                                         | H.B. 2460 | Pattah                      | Criminal Justice | P                       |
| • Termination of school district employment for certain Drug Law offenses                                                                                                                                                 | H.B. 2485 | Deluca                      | Criminal Justice | P                       |
| • Requirements of completion of treatment program as a condition of parole for Drug Law offenses                                                                                                                          | S.B. 1530 | Williams                    | Criminal Justice | P                       |
| <u>UNINTRODUCED LEGISLATION</u>                                                                                                                                                                                           |           |                             |                  |                         |
| • State provision of hard match for all Criminal Justice Treatment, Education, and Prevention where match is required by Federal legislation                                                                              |           |                             | Criminal Justice |                         |
| • Budgeting of \$50 million for construction of a state prison in Philadelphia for convicted drug offenders from 1st Judicial District; and \$50 million for similar facility for pretrial detainees in Phila. drug cases |           | Fumo                        | Criminal Justice | P                       |
| • \$250 million bond referendum for prison construction, some of the money to be used for interest-free loans to counties for new or improved jails                                                                       |           | Rep. Fox,<br>Sen. Greenleaf | Criminal Justice | P                       |
| • Provide direct state funding to criminal justice agencies that experience increased workload in adjudication and corrections due to increase in drug arrest and prosecutions                                            |           |                             | Criminal Justice | P                       |



| STATE: COMBINED ISSUES SUMMARY                                                                                                                                                                  |           |              |                  |                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------------|------------------|-------------------------|
| ISSUE                                                                                                                                                                                           | NUMBER    | MAIN SPONSOR | REPORT SECTION   | PRIORITY<br>OTHER BILLS |
| <u>UNINTRODUCED LEGISLATION</u>                                                                                                                                                                 |           |              |                  |                         |
| • Expansion of existing forfeiture law from application only to drugs, liquor, cigarettes and gambling, to every indictable offense (i.e., above a summary offense                              |           | Greenleaf    | Criminal Justice | P                       |
| • Victim/Witness protection program to provide protection, housing and related services to both adult and juvenile witnesses who are directly involved in drug-related arrests and prosecutions |           |              | Criminal Justice | P                       |
| <u>TITLE 18 ISSUES</u>                                                                                                                                                                          |           |              |                  |                         |
| • Reporting of overdoses to State Police                                                                                                                                                        | S.B. 180  | Greenleaf    | Criminal Justice | OB                      |
| • Furnishing drug-free urine for testing purposes a third degree misdemeanor                                                                                                                    | H.B. 957  | Sauman       | Criminal Justice | OB                      |
| • Adulteration of controlled substance with intent to harm a second degree felony                                                                                                               | H.B. 620  | Nahill       | Criminal Justice | OB                      |
| • Unlawful use of alcohol of drugs by public transportation workers                                                                                                                             | H.B. 986  | Donatucci    | Human Services   | OB                      |
| <u>SUBSTANCE ABUSE TESTING</u>                                                                                                                                                                  |           |              |                  |                         |
| • Standards for substance abuse testing of employees                                                                                                                                            | H.B. 827  | Pitts        | Criminal Justice | OB                      |
| • Similar to H.B. 826, includes employee assistance programming                                                                                                                                 | H.B. 1928 | Cohen        | Criminal Justice | OB                      |
| • Testing mass transit employees for substance abuse                                                                                                                                            | S.B. 732  | Greenleaf    | Human Services   | OB                      |

| Criminal Justice/Human Services | STATE: COMBINED ISSUES SUMMARY                                                                    |           | REPORT SECTION | PRIORITY<br>OTHER BILLS |
|---------------------------------|---------------------------------------------------------------------------------------------------|-----------|----------------|-------------------------|
|                                 | ISSUE                                                                                             | NUMBER    | MAIN SPONSOR   |                         |
|                                 | <u>TITLE 75 - VEHICLES</u>                                                                        |           |                |                         |
|                                 | • Minimum term of hospital imprisonment for DUI of alcohol or controlled substance                | S.B. 49   | Holl           | OB                      |
|                                 | • Convicts of DUI of alcohol or controlled substance to pay into the CMT Fund                     | S.B. 123  | Helfrick       | OB                      |
|                                 | • DUI suspect cost of blood test imposed on defendant                                             | S.B. 126  | Helfrick       | OB                      |
|                                 | • A violation committed under influence of controlled substance excluded as defense to DUI charge | S.B. 881  | Brightbill     | OB                      |
|                                 | • Police confiscation of driver's license of DUI charged person                                   | S.B. 1110 | Andrezeski     | OB                      |
|                                 | • Revocation of junior driver's license for 90 days for DUI or refusal of chemical testing        | S.B. 1111 | Andrezeski     | OB                      |
|                                 | • Arrest without warrant for violating DUI                                                        | H.B. 107  | Laughton       | OB                      |

| Criminal Justice/Human Services                                                                                                              |           | STATE: COMBINED ISSUES SUMMARY |                  | PRIORITY<br>OTHER BILLS |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------------------------------|------------------|-------------------------|
| ISSUE                                                                                                                                        | NUMBER    | MAIN SPONSOR                   | REPORT SECTION   |                         |
| ACT 64 - THE DRUG LAW                                                                                                                        |           |                                |                  |                         |
| . Alfentanilhydrochloride added to list of controlled substances                                                                             | S.B. 483  | Loeper                         | Criminal Justice | OB                      |
| . Sellers and distributors of controlled substances, designer drugs and the recipient dies charged with second degree murder - life sentence | S.B. 885  | Fisher                         | Criminal Justice | OB                      |
| . Toll-free hotline to provide information re: drug abuse to PA State Police                                                                 | H.B. 330  | Fox                            | Criminal Justice | OB                      |
| . Person arrested for DUI must be informed that driving privileges will be suspended for refusal of chemical testing                         | H.B. 273  | Steighner                      | Criminal Justice | OB                      |
| . Minimum sentencing with probation for vehicular homicide                                                                                   | H.B. 1318 | Piccola                        | Criminal Justice | OB                      |
| . "Crime" amended to include DUI and homicide by vehicle                                                                                     | H.B. 1485 | Cornell                        | Criminal Justice | OB                      |
| . Mandatory blood and urine testing, lower result used for prosecution                                                                       | H.B. 1627 | Olasz                          | Criminal Justice | OB                      |

| Criminal Justice/Human Services | STATE: COMBINED ISSUES SUMMARY                                                                                                       |           |              | PRIORITY<br>OTHER BILLS |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|-----------|--------------|-------------------------|
|                                 | ISSUE                                                                                                                                | NUMBER    | MAIN SPONSOR | REPORT SECTION          |
|                                 | . Homicide by vehicle a first degree felony if offense is intentional                                                                | H.B. 1791 | Trello       | Criminal Justice<br>OB  |
|                                 | . Up to \$1,000 liability for DUI violators for reimbursement of government's emergency response costs caused by violation           | H.B. 2504 | Saurman      | Criminal Justice<br>OB  |
| LIQUOR CODE: P.L. 90, NO. 21    |                                                                                                                                      |           |              |                         |
|                                 | . Licensee or employee who violates the Drug Law may cause penalties - includes grading of penalties                                 | S.B. 452  | Greenleaf    | Criminal Justice<br>OB  |
|                                 | . Provides 28 of net LCB revenues for study of alcoholism, treatment, prevention, and education                                      | H.B. 969  | Michlovic    | Human Services<br>OB    |
| TAXATION                        |                                                                                                                                      |           |              |                         |
|                                 | . Department of Revenue empowered to impose tax on sale, use, consumption, distribution, manufacture, etc. of controlled substances. | S.B. 60   | Helfrick     | Criminal Justice<br>OB  |

## Criminal Justice/Human Services

STATE: COMBINED ISSUES SUMMARY

| <u>ISSUE</u>                                                                  | <u>NUMBER</u> | <u>MAIN SPONSOR</u> | <u>REPORT SECTION</u> | <u>PRIORITY<br/>OTHER BILLS</u> |
|-------------------------------------------------------------------------------|---------------|---------------------|-----------------------|---------------------------------|
| <u>AMENDMENT TO ACT 124:</u>                                                  |               |                     |                       |                                 |
| .Provides for treatment of chemically dependent and afflicted newborns        | S.B. 1525     | Greenwood           | Human Services        | OB                              |
| <u>AMENDMENT TO ACT 331:</u>                                                  |               |                     |                       |                                 |
| .Appropriation of funds to first class townships for substance abuse programs | H.B. 179      | Cowell              | Human Services        | OB                              |
| <u>AMENDMENT TO ACT 581:</u>                                                  |               |                     |                       |                                 |
| .Appropriation of funds to boroughs for substance abuse programs              | H.B. 180      | Cowell              | Human Services        | OB                              |
| <u>AMENDMENTS TO ACT 14:</u>                                                  |               |                     |                       |                                 |
| .Requires prevention/education in grades K-12                                 | S.B. 887      | Fisher              | Human Services        | OB                              |
| .School employees convicted of Drug Law offenses a condition for dismissal    | S.B. 1527     | Pecora              | Human Services        | OB                              |
| <u>AMENDMENT TO ACT 500:</u>                                                  |               |                     |                       |                                 |
| .Disposal of needles and syringes                                             | H.B. 2242     | O'Brien             | Human Services        | OB                              |

## Criminal Justice/Human Services

STATE: COMBINED ISSUES SUMMARY

| <u>ISSUE</u>                                                                                        | <u>NUMBER</u>        | <u>MAIN SPONSOR</u> | <u>REPORT SECTION</u> | <u>PRIORITY<br/>OTHER BILLS</u> |
|-----------------------------------------------------------------------------------------------------|----------------------|---------------------|-----------------------|---------------------------------|
| <u>OTHER ISSUES:</u>                                                                                |                      |                     |                       |                                 |
| Medical Assistance coverage for inpatient substance abuse detox and treatment                       | H.B. 585<br>S.B. 415 | Wambach             | Human Services        | P                               |
| Direct appropriation to Gaudenzia, Inc. for treatment of women substance abusers and their children | S.B. 906             | Jones               | Human Services        | OB                              |
| AIDS testing in emergency situations                                                                | H.B. 1915            | Leh                 | Human Services        | OB                              |
| AIDS testing for certain persons                                                                    | H.B. 2274            | Perzel              | Human Services        | OB                              |
| Warning labels on liquor bottles placed by LCB employees                                            | H.B. 1589            | Blimelin            | Human Services        | OB                              |
| Warning labels on liquor bottles placed by manufacturer                                             | H.B. 1590            | Blimelin            | Human Services        | OB                              |
| <u>AMENDMENTS TO ACT 175:</u>                                                                       |                      |                     |                       |                                 |
| Appropriation for residential treatment for destitute pregnant women, etc.                          | S.B. 905             | Jones               | Human Services        | OB                              |
| Creation of Department of Drug Abuse Prevention                                                     | S.B. 1531            | Williams            | Human Services        | OB                              |
| Requires in-service programs for all school personnel re: substance abuse                           | H.B. 1416            | Cornell             | Human Services        | OB                              |



## Criminal Justice/Human Services

## STATE: COMBINED ISSUES SUMMARY

PRIORITY  
OTHER BILLS

## REPORT SECTION

## MAIN SPONSOR

## NUMBER

## ISSUE

## AMENDMENT TO ACT 143:

.Extends mental health problems procedures re: voluntary and involuntary examination and treatment to substance abusers and for criminal justice determinations

Human Services

Greenleaf

S.B. 142

OB

## AMENDMENT TO ACT 45:

.Imposes a fee on ARD persons funds for use by emergency medical service providers

Human Services

Greenwood

S.B. 1376

OB

## OTHER ISSUES

.Expansion of Medical Assistance coverage for partial hospitalization and outpatient treatment services

Human Services

.Extension of definitions of child abuse and neglect in current S.B. 1525 to include the presence of parental substance abuse.

Human Services

PENDING CRIMINAL JUSTICE LEGISLATION: LOCAL.

Prepared by Criminal Justice Team  
Legislative and Finance Operations Group

CITY

## CRIMINAL JUSTICE

| Issue                                                                                                                                                                                                         | Federal | State | Local | Law | Rule/Procedure | Pending | Message<br>P MP UK | Spencer/<br>Contact | Action Required                                      | Comment |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------|-------|-----|----------------|---------|--------------------|---------------------|------------------------------------------------------|---------|
| Authorizes denial and<br>revocation of the business<br>privilege licenses of<br>businesses engaged in the<br>selling, transferring,<br>delivering or manufacturing<br>of drug paraphernalia<br>(Bill No. 107) |         |       | X     | X   |                | ND      |                    | Angela Clark        | Referred to Finance<br>Committee, no hearings<br>yet | SECRET  |